AGENDA - COUNCIL MEETING - TUESDAY - MARCH 10, 2009 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Clutterbuck

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MARCH 11, 2009 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE CITY SECRETARY PRIOR TO COMMENCEMENT

MAYOR'S REPORT - American Recovery and Reinvestment Act (ARRA) Overview

CONSENT AGENDA NUMBERS 1 through 36

MISCELLANEOUS - NUMBER 1

1. RECOMMENDATION from City Attorney to increase the price for the Code of Ordinances for outside subscribers to $350.00 per set and authorize the City Attorney to make future adjustments based on specified criteria

ACCEPT WORK - NUMBER 2

2. RECOMMENDATION from Director General Services Department for approval of final contract amount of $472,475.00 and acceptance of work on contract with **ARROW SERVICES, INC** for Asbestos Abatement and Interior Demolition at Gragg Building, 2999 South Wayside Drive 0.05% under the original contract amount - **DISTRICT I - RODRIGUEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 3 through 4

3. ORDINANCE appropriating $333,619.80 out of Reimbursement of Equipment/Projects Fund for Purchase of Road Spike Systems for the Houston Police Department

a. **ALL AMERICA SALES CORPORATION** for Road Spike Systems for Houston Police Department

4. **AGILENT TECHNOLOGIES, INC** for Gas Chromatograph/Mass Spectrometer for Houston Police Department - $114,915.21 - Police Special Services Fund

ORDINANCES - NUMBERS 5 through 36

5. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Burdine Street, from Gasmer Road to Dyrad Drive (Parcel SY3-052); vacating and abandoning said parcel to Houston Independent School District, the abutting owner, in consideration of (i) its dedication back to the City of said parcel as a 60-foot-wide utility easement, designated as Parcel VY4-006; both parcels being out of the replat of New Westbury Village, Section 3, in the George Allen Survey, A-96, Houston, Harris County, Texas, (ii) its construction of a ± 150-foot section of West Airport Boulevard, connecting to Chimney Rock Road, and (iii) its payment of $300.00 (minimum fee), and other consideration to the City - **DISTRICT C - CLUTTERBUCK**

6. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 16-foot-wide utility easement (Parcel SY8-004) and the attendant aerial easement; vacating and abandoning said easements to FR-Enclave, L.P., the abutting owner, in consideration of its conveyance to the City of a 16-foot-wide utility easement (Parcel VY8-031); all three (3) easements being out of Reserve "A" of the RVB Reserve C Subdivision, Houston, Harris County, Texas; and its payment of $178,310.00 and other consideration to the City - **DISTRICT G - HOLM**

7. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Arncliffe Drive (Parcel SY6-098), from Streamside Drive West approximately 181 feet, containing 0.2539 acre (11,060 square feet) of land, more or less; vacating and abandoning said tract while retaining a full-width utility easement and hike and bike trail easement (Parcel QY9-009), and approving HCFCD's conveyance to the City of 0.1122 acre (4,888 square feet) of land, more or less, for right-of-way for and construction of a cul-de-sac at the eastern terminus of Arncliffe Drive (Parcel AY7-256), all located in the Inwood Forest Subdivision, Section 14, K. Morgan Survey, A-573, Houston, Harris County, Texas - **DISTRICT A - LAWRENCE**

8. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of (1) Hickory Street, from the Texas and New Orleans Railroad right-of-way south approximately 355 feet (Parcel SY8-003A), (2) Morin Place, from its western terminus east approximately 92 feet (Parcel SY8-003B), and (3) a 10-foot-wide storm sewer easement (Parcel SY8-003C), all in the John Austin Survey, A-1, Harris County, Texas; vacating and abandoning said property interests to Trinity Lutheran Church, abutting owner, in consideration of owner's conveyance to the City of (A) two 20-foot-wide storm sewer easements (Parcels LY8-021A and LY8-021B), (B) a 10-foot-wide sanitary sewer easement (Parcel DY9-034), and (C) a 10-foot-by-20-foot fire hydrant easement (Parcel KY0-081), also located in said John Austin Survey, A-1, Harris County, Texas - **DISTRICT H**

ORDINANCES - continued

9. ORDINANCE supplementing the City of Houston, Texas Master Ordinance providing for the issuance of Combined Utility System Revenue Obligations and authorizing issuance of City of Houston, Texas, Combined Utility System First Lien Revenue and Refunding Bonds in several Series Designations, authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; awarding the sale of the Bonds; authorizing the defeasance, final payment, and discharge of certain Combined Utility System Commercial Paper Notes and certain Combined Utility System Outstanding Bonds; authorizing the execution and delivery of Escrow Agreements; authorizing the purchase of and subscription for certain Escrowed Securities; authorizing Escrow Verification and engagement of Escrow Agents, a Co-Bond Counsel Agreement, and Special Disclosure Co-Counsel Agreement; authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency

10. ORDINANCE increasing rates and charges for the use and services of the Combined Utility System

11. ORDINANCE rescinding Ordinance 2008-953 and deappropriating the previous appropriation of $773,181.98 for leased space; appropriating $737,756.31 out of Police Consolidated Construction Fund and approving and authorizing Lease Agreement between **RP SAM HOUSTON PLAZA, LP, Landlord**, and the City of Houston, Texas, Tenant, for the lease of Office Space at 523 North Sam Houston Parkway East, Houston, Texas, at a monthly rental of $11,736.00, with other expenses as set forth in the agreement, for the Public Safety Radio System Project - **DISTRICT B - JOHNSON**

12. ORDINANCE approving and authorizing various contracts for Elderly Services provided through the Harris County Area Agency on Aging between the City and (1) **ALZHEIMER'S ASSOCIATION - HOUSTON & SOUTHEAST TEXAS CHAPTER,** (2) **NEIGHBORHOOD CENTERS, INC**, and (3) **PERRYLEE HOME HEALTH CARE SERVICES, INC**; providing maximum contract amounts - $4,744,565.58 - Grant Fund

13. ORDINANCE approving and authorizing seven (7) Single Family Home Repair Contracts between the City, as the Repair Agency acting on behalf of seven (7) homeowners, and three (3) Construction Contractors (**CM CONSTRUCTION**, **JOSHUA DADE HOMES** and **GENERAL CONTRACTOR SERVICES, INC**) and providing $591,415.00 in Community Development Block Grant Funds (including a 10% contingency of $53,765.00) for the Demolition and Reconstruction Work (Tier III) on seven (7) houses under the Single Family Home Repair Program Administrative Guidelines, as amended - **DISTRICTS B - JOHNSON; D - ADAMS and DISTRICT H**

14. ORDINANCE amending Ordinance No. 2007-1193, as amended by Ordinance No. 2008-661, and appropriating $2,026,000.00 out of the TIRZ Affordable Housing Fund 2409 to continue implementation of the City's Workforce Housing Downpayment Assistance Program

15. ORDINANCE approving and authorizing Agreement between the City of Houston, **MOUNTAIN TOP DEVELOPMENT** and **CAPITAL ONE COMMUNITY DEVELOPMENT CORPORATION II** to provide a second Lien Construction Loan of Federal "HOME" Funds in the amount of $140,000.00 for eligible costs in connection with the construction of two (2) affordable homes - **DISTRICTS B - JOHNSON and D - ADAMS**

ORDINANCES - continued

16. ORDINANCE consenting to the creation of the **INTERNATIONAL MANAGEMENT DISTRICT** and the inclusion of certain land within the district - **DISTRICTS C - CLUTTERBUCK; F - KHAN and G - HOLM**

17. ORDINANCE approving and authorizing amendment to the agreement between the City of Houston, Texas, **THE FOURTH WARD REDEVELOPMENT AUTHORITY**, and **REINVESTMENT ZONE NUMBER FOURTEEN**, **CITY OF HOUSTON**, **TEXAS (FOURTH WARD ZONE)** in connection with the City's Reinvestment Zone Number Fourteen over the Fourth Ward Area approved by Ordinance No. 2000-1110 - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

a. ORDINANCE relating to the Fiscal Affairs of the Fourth Ward Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER FOURTEEN**, **CITY OF HOUSTON**, **TEXAS (FOURTH WARD ZONE)**; approving the Fiscal Year 2009 Operating Budget for the Authority and the Fiscal Years 2009-2013 Capital Improvement Budget for the Zone - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

18. ORDINANCE relating to the Fiscal Affairs of the Southwest Houston Redevelopment Authority on behalf of Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone); approving the Fiscal Year 2009 Operating Budget for the Authority - **DISTRICTS F - KHAN and G - HOLM**

a. ORDINANCE approving the issuance of Bonds and Notes by the Southwest Houston Redevelopment Authority - **DISTRICTS F - KHAN and G - HOLM**

19. ORDINANCE accepting the individual proposals from **WESTCHESTER FIRE INSURANCE COMPANY**, **LEXINGTON INSURANCE COMPANY**, **CONTINENTAL CASUALTY COMPANY**, **UNDERWRITERS AT LLOYDS**, **RSUI INDEMNITY COMPANY**, **GREAT LAKES REINSURANCE (UK) PLC**; **SWISS RE INTERNATIONAL SE**, **IRONSHORE INSURANCE, LTD**., **AXIS SURPLUS INSURANCE COMPANY**, **ARCH SPECIALTY INSURANCE COMPANY**, **ESSEX INSURANCE COMPANY**, **ASPEN INSURANCE UK LIMITED** which are participating in the Layered Property Insurance Program and approving and authorizing the purchase of a General City Property Insurance Policy - $10,464,566.00 - Property and Casualty Fund

20. ORDINANCE accepting the proposal from **LEXINGTON INSURANCE COMPANY**, approving and authorizing the purchase of Terrorism Insurance for the proposed City-wide Insurance Policy for all scheduled City of Houston locations - $703,046.00 - Property and Casualty Fund

21. ORDINANCE approving supplemental allocation to Legal Services Contract between the City of Houston and **ANDREWS & KURTH, L.L.P.,** for Professional Services to assist in litigation arising out of activities financed by the Fund - $100,000.00 - Combined Utility System General Purpose Fund

22. ORDINANCE appropriating $600,000.00 out of Parks Consolidated Construction Fund for Stormwater Detention Basin at Keith-Wiess Park under Contract with the **HARRIS COUNTY FLOOD CONTROL DISTRICT** (as approved by Ordinance No. 2005-1033) - **DISTRICT B - JOHNSON**

23. ORDINANCE approving and authorizing agreement between the City of Houston and **THE GREATER HOUSTON CYCLING FOUNDATION** for the Operation and Maintenance of the Alkek Velodrome for the Parks & Recreation Department - **DISTRICT A - LAWRENCE**

ORDINANCES - continued

24. ORDINANCE amending Ordinance No. 2000-1147 passed on December 20, 2000 to increase the maximum contract amount for Contract between the City of Houston and **UNISYS CORPORATION** for Computer, Hardware, Software Licenses, Mainframe and Professional Services for Various Departments - $2,321,973.00 - General Fund

25. ORDINANCE awarding contract to **ANGELINA FUELS, LLC** for Wood Waste Removal Services for the Solid Waste Management Department; providing a maximum contract amount - 3 Years with two one-year options - $770,000.00 - General Fund

26. ORDINANCE appropriating $245,600.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to the Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for the Widening of U.S. 59 from North Park Drive to Harris County Line (approved by Ordinance No. 2004-1029) - **DISTRICT E - SULLIVAN**

27. ORDNANCE appropriating $312,500.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Relocation and Adjustment to the Waterline along Beltway 8 from the west of Greenspoint Drive to West Hardy Road; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON**

28. ORDINANCE appropriating $17,600.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing an amendment to the restatement of contract for Professional Engineering Services between the City of Houston and **WILBUR SMITH ASSOCIATES, INC** for Herman Brown Park Trail Phase II - **DISTRICT I - RODRIGUEZ**

29. ORDINANCE appropriating $375,074.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **WESTON SOLUTIONS, INC** for Sims South Wastewater Treatment Plant Improvements; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ**

30. ORDINANCE appropriating $1,164,119.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing Professional Services Contract between the City of Houston and **TEXAS AMERICAN ENGINEERING** for Engineering Services associated with the Design of Water Line Replacement in Garden Oaks, Riverwood Estates and John Alber areas **DISTRICT B - JOHNSON**

31. ORDINANCE appropriating $386,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Fifth Amendment to Professional Engineering Services Contract between the City of Houston and **AECOM USA, INC dba AECOM USA GROUP, INC** for Engineering Services associated with Capacity Improvements at the East Water Purification Plant **DISTRICT E - SULLIVAN**

32. ORDINANCE amending Ordinance No. 2009-44 passed January 28, 2009 relating to Construction Contract for the Generic City Wide Overlay Package #13 (Work Order Contract) to correct the Outline No. of the Engineering Testing Services Contract

ORDINANCES - continued

33. ORDINANCE de-appropriating $3,722,015.00 appropriated from the Street & Bridge Consolidated Construction Fund by Ordinance No. 2008-30 in connection with the Holcombe Blvd. Reconstruction Project, $1,200,000.00 appropriated from the Street & Bridge Consolidated Construction Fund by Ordinance No. 2008-701 in connection with the Bayou Drive Project, and $2,675,300.00 from the Street & Bridge Consolidated Construction Fund by Ordinance No. 2008-1008 in connection with the North MacGregor Drive Project; appropriating $3,722,015.00 from the Woodlands Regional Participation Fund for the Holcombe Blvd Reconstruction Project as described by Ordinance No. 2008-30, $1,200,000.00 from the Woodlands Regional Participation Fund for the Bayou Drive Project as described by Ordinance No. 2008-701, and $2,675,300.00 from the Woodlands Regional Participation Fund for the North Macgregor Drive Project as described in Ordinance No. 2008-1008; authorizing the transfer to the Street & Bridge Consolidated Construction Fund of an amount equivalent to expenditures to date in connection with the Holcombe Blvd Reconstruction Project from funds appropriated herein for such project

34. ORDINANCE appropriating $500,000.00 out of General Improvement Consolidated Construction Fund for Construction Services under existing Job Order Contract with **WILLIAMS & THOMAS, LP dba JAMAIL CONSTRUCTION** (approved by Ordinance No. 2007-0167), Systems Furniture Reconfiguration Services under an existing Citywide contract with **HOUSTON INSTALLATION SERVICES, INC** (approved by Ordinance No. 2005-0161), and purchase of Modular Furniture and Installation Services and authorizing the Director of the General Services Department to issue purchase order for the Renovation of office space at 611 Walker for the Finance Department **DISTRICT I - RODRIGUEZ**

35. ORDINANCE No. 2009-179, passed first reading March 4, 2009
    ORDINANCE granting to **K & S CONSTRUCTION SERVICES, LLC**, **A Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING**

36. ORDINANCE No. 2009-159, passed second reading March 4, 2009
    ORDINANCE granting to **ACE SEPTIC AND PLUMBING COMPANY, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 37 through 39

MISCELLANEOUS

37. **MOTION TO SET A DATE** not less than seven (7) days from March 11, 2009, to receive nominations for appointment to Position 4 of the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE)**, **CITY OF HOUSTON**, **TEXAS** for term to expire December 31, 2010

38. **SET A PUBLIC HEARING DATE** regarding amendments to the Project and Financing Plan for Tax Increment Reinvestment Zone Number Five (Memorial Heights Zone) - **DISTRICTS A - LAWRENCE; D - ADAMS; G - HOLM and DISTRICT H**
HEARING DATE - 9:00 A.M. - WEDNESDAY - MARCH 25, 2009

39. **SET HEARING DATE** to consider a Municipal Setting Designation ordinance (MSD) for Beeson Properties for the site located at 6800, 6900, 7010 and 7020 Old Katy Road - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; F - KHAN; G - HOLM; DISTRICT H and I - RODRIGUEZ**
HEARING DATE - 9:00 A.M. - WEDNESDAY - APRIL 29, 2009

MATTERS HELD - NUMBERS 40 through 46

40. RECOMMENDATION from Director of the Affirmative Action and Contract Compliance Division of the Mayor's Office for MBE and WBE participation goals for contracts funded under Environmental Protection Agency grants or loans - **TAGGED BY COUNCIL MEMBER GREEN**
This was Item 1 on Agenda of March 4, 2009

41. RECOMMENDATION from Chief of Police for Extension of Leave of Absence without pay for Sr. Word Processor **B. N. MITCHELL** - **TAGGED BY COUNCIL MEMBER HOLM**
This was Item 2 on Agenda of March 4, 2009

42. RECOMMENDATION from Purchasing Agent to award to **UNICO CORPORATION** for Uniforms through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Cooperative for Various Departments $1,131,866.28 - General, Enterprise, Storm Water and Fleet Management Funds - **TAGGED BY COUNCIL MEMBER HOLM**
This was Item 22 on Agenda of March 4, 2009

43. ORDINANCE approving and authorizing agreement between the City of Houston and **THE CNA CORPORATION** for Professional Services for the Drafting of a Regional Catastrophic Preparedness Plan for the Mayor's Office of Public Safety and Homeland Security; providing a maximum contract amount - $2,509,444.00 - Grant Fund
TAGGED BY COUNCIL MEMBER JONES
This was Item 25 on Agenda of March 4, 2009

44. ORDINANCE appropriating $1,157,035.00 out of Equipment Acquisition Consolidated Construction Fund; approving and authorizing contract between the City of Houston and **ASSETWORKS, INC** for Fleet Management Information System for Various Departments; providing a maximum contract amount; authorizing the issuance of purchase orders $1,443,899.00 - Enterprise and Central Services Revolving Funds
TAGGED BY COUNCIL MEMBER HOLM
This was Item 35 on Agenda of March 4, 2009

MATTERS HELD - continued

45. ORDINANCE amending Ordinance 2005-0241 to increase the maximum contract amount; approving amendment to Contract between the City of Houston and **FULCRUM POWER SERVICES L.P.** for Professional Energy and Fuel Management Services - $500,000.00 - Central Service Revolving Fund - **TAGGED BY COUNCIL MEMBERS JONES and GREEN**
This was Item 39 on Agenda of March 4, 2009

46. ORDINANCE amending Ordinance No. 2005-0161 (passed on February 23, 2005) to increase the maximum contract amount for contract between the City of Houston and **HOUSTON INSTALLATION SERVICES, INC** for Furniture Relocation Services for Various Departments $229,140.00 - General and Enterprise Funds - **TAGGED BY COUNCIL MEMBER JONES**
This was Item 42 on Agenda of March 4, 2009

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Lovell first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Increasing the price for the Code of Ordinances for outside subscribers and authorizing the City Attorney to make future adjustments based on specified criteria	**Page** 1 of 1	**Agenda Item #** 1

FROM (Department or other point of origin): Legal Department	**Origination Date** February 6, 2009	**Agenda Date** MAR 1 1 2009
DIRECTOR'S SIGNATURE: MS	**Council District affected:** N/A	
For additional information contact: Susan Taylor **Phone:** 832-393-6419	**Date and identification of prior authorizing Council action:** Motion No. 84-1886	

RECOMMENDATION: (Summary)
That City Council pass a motion to increase the price for the City Code for outside subscribers to $350 per set and authorizing the City Attorney to make future adjustments based on specified criteria.

Amount and Source of Funding:
N/A

SPECIFIC EXPLANATION:
In 1984, when the recodification of the City Code was being prepared, City Council by motion established the price for outside subscribers at $200 per set. Municipal Code Corporation sells the Codes, along with subscriptions to the Supplement Service, and credits the City's account. In the more than 20 years since the recodification, the City Code has grown so that there are now almost twice as many pages as there were when the price was first set at $200. The price for the binders has increased from $13 per set of two to $62 per set. Municipal Code Corporation has informed the Legal Department that typically two volume codes with the number of pages that are in Houston's code (2000+) sell for approximately $400, and that the City of Houston is the only one of their clients who charges only $200 for a code so large. Therefore, the City Attorney recommends an increase in the price to $350.

In addition, the City Attorney recommends that City Council delegate to the City Attorney authority to implement price increases for the City Code as needed, not to exceed 3% per year, based upon the actual cost to produce the Code, market rates for similar published Codes, demand for the printed Code, and State Library authorized per page charges for Public Information Act purposes.

STT:asw
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REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

LGL rcaform.wcm 04/2008

MOTION NO. 84-1886

MOTION by Council Member Robinson that the recommendation of the City Attorney relative to establishing the price for the new recodified Code of Ordinances for outside subscribers and procedures for in-house distribution, be adopted, and the price for the new recodified Code of Ordinances is hereby established at $200.00 per set for outside subscribers and each Council Member, the City Controller, and the Departments receive an initial set of the new code at no charge, and any additional copies be distributed under procedures to be established by the Mayor's office and implemented by the City Attorney.

Seconded by Council Member Ellis and carried.

Mayor Whitmire, Council Members McKaskle,
McGowen, Greanias, Ellis, Mancuso, Goodner,
Hartung, Gorczynski, Reyes, Tinsley and
Robinson voting aye
Nays none
Council Members Westmoreland and Greenwood absent

Council Member Hall out of the City

PASSED AND ADOPTED this 31st day of July, 1984.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 6, 1984.

Ira Russell
City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work Arrow Services, Inc. Asbestos Abatement and Interior Demolition at Gragg Building 2999 South Wayside Drive WBS No. F-0504D1-0003-4	**Page** 1 of 1	**Agenda Item** 2

FROM (Department or other point of origin): General Services Department	**Origination Date** 3-5-09	**Agenda Date** MAR 1 1 2009
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. 3/21/09	**Council District affected:** I	
For additional information contact: Jacquelyn L. Nisby **Phone:** 832-393-8023	**Date and identification of prior authorizing Council action:** Ordinance No. 08-0440 Dated: 05/14/2008	

RECOMMENDATION: Pass a motion approving the final contract amount of $472,475.00, accept the work and authorize final payment.

Amount and Source of Funding: No Additional Funding Required **Previous Funding:** $626,335.00 Parks Consolidated Construction Fund (4502)	**Finance Budget:**

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of $472,475.00 or 0.05% under the original contract amount, accept the work and authorize final payment to Arrow Services, Inc. for asbestos/lead abatement and interior demolition at Gragg Building for the Parks and Recreation Department.

PROJECT LOCATION: 2999 South Wayside Drive
Houston, Texas (Key Map 534-G)

PROJECT DESCRIPTION: This project completed asbestos/lead abatement on all windows throughout the building, interior demolition, removed and disposed of contaminated lead-based paint including asbestos containing glazing compound on all windows. The work also included removal of wall panels and provided storage of wood panels in a climate-controlled environment for a period of five months.

CONTRACT COMPLETION AND COST: The contractor completed the project within 130 days: the original contract time of 90 days plus 40 days approved by Change Orders. The final cost of the project, including Change Orders, is $472,475.00, a decrease of $225.00 from the original contract amount.

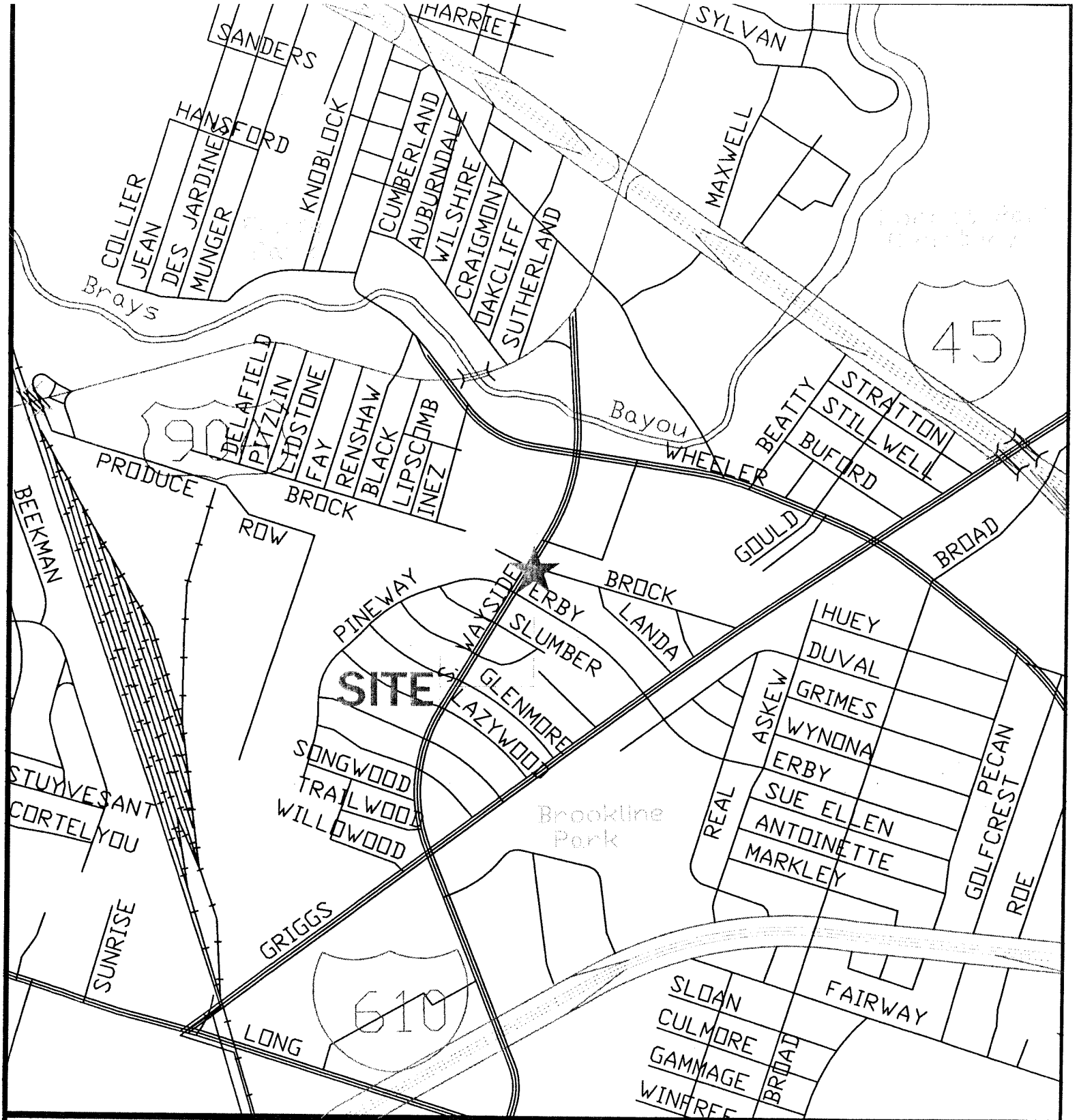
PREVIOUS CHANGE ORDERS: Change Orders 1-3 removed strip of mastic from top of 2x4 to the beginning of window support throughout the building, removed black mastic with a heavy coat of oil based paint, disassembled and transported the large conference table; compensated the contractor for additional work; and granted non-compensable time extensions.

IZD:HB:JLN:GM:MCJ:fk

c: Marty Stein, Jacquelyn L. Nisby, Velma Laws, Mark Ross, Webb Mitchell, Gabriel Mussio, File.

REQUIRED AUTHORIZATION CUIC ID # 25GM175

General Services Department: Humberto Bautista, P.E. Chief of Design & Construction Division	**Other Authorization:**	**Parks and Recreation Department:** Joe Turner Director



Asbestos Abatement and Interior Demolition at Gragg Building
2999 SOUTH WAYSIDE DR.
HOUSTON, TX 77023

COUNCIL DISTRICT "I"

KEY MAP NO. 534G

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8207

Subject: Formal Bids Received for Road Spike Systems for the Houston Police Department S23-N23109	Category # 4	Page 1 of 1	Agenda Item 3-3A

FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	**Origination Date** February 11, 2009	**Agenda Date** MAR 1 1 2009
DIRECTOR'S SIGNATURE:	**Council District(s) affected**	
For additional information contact: Joseph Fenninger 2/26/09 **Phone:** (713) 308-1708 Ray DuRousseau **Phone:** (832) 393-8726	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of $333,619.80 out of the Reimbursement of Equipment/Projects Fund (Fund 1850) and approve an award to All America Sales Corporation on its low bid in the total amount of $333,619.80 for road spike systems for the Houston Police Department.

Award Amount: $333,619.80	**Finance Budget**
$333,619.80 (Reimbursement of Equipment/Projects Fund (1850)	

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of $333,619.80 out of the Reimbursement of Equipment/Projects Fund (Fund 1850) and approve an award to All America Sales Corporation on its low bid in the total amount of $333,619.80 for road spike systems for the Houston Police Department and that authorization be given to issue a purchase order. These road spike systems will be used by the Department to stop high speed chases safely by deflating tires. The requested appropriation of $333,619.80 out of the Reimbursement of Equipment/Projects Fund (Fund 1850) will be reimbursed by the Fleet/Equipment Acquisition Internal Services Fund (Fund 9002).

This project was advertised in accordance with the requirements of the State of Texas bid laws. Fifteen prospective bidders downloaded this solicitation document from SPD's e-bidding website, and three bids were received as outlined below.

	Company	Total Amount
1.	**All America Sales Corporation**	**$333,619.80**
2.	Federal Signal Corporation	$336,876.00
3.	Emergency Vehicle Supply	$346,926.00

This purchase consists of 804 Stinger road spike systems. The new spike systems are interchangeable with the existing system, which is expected to save the City money on replacement parts. These road spikes shall be warranted to be free of defects in material and workmanship for the life of the product, which is estimated to be five years. In addition, the contractor shall provide two 4-hour sessions of on-site training, including materials such as videos and books for the officers.

Buyer: Roy Breaux

Attachment: M/WBE Zero Percentage Goal Document approved by the Affirmative Action Division

REQUIRED AUTHORIZATION 65CDW 8207 B

Finance Department:	Other Authorization: 2/26/09	Other Authorization:

CITY OF HOUSTON

Administration & Regulatory Affairs Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

To: Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

From: Roy Breaux

Date: 11/20/2008

Subject: MWBE Participation Form

I am requesting a **waiver** of the MWBE Goal: Yes ☒ No ☐ Type of Solicitation: Bid ☒ Proposal ☐

I am **requesting** a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes ☐ No ☐ _____

I am requesting a **revision** of the MWBE Goal: Yes ☐ No ☐ Original Goal: _____ New Goal: _____

If requesting a revision, how many solicitations were received: _____

Solicitation Number: N23109 Estimated Dollar Amount: $337,028.78

Anticipated Advertisement Date: 12/5/2008 Solicitation Due Date: 1/8/2009

Goal On Last Contract: N/A Was Goal met: Yes ☐ No ☐

If goal was not met, what did the vendor achieve: _____

Name and Intent of this Solicitation:
Road Spike Systems for Police Department.

Rationale for requesting a Waiver or Revision (Zero percent goal or revision after advertisement):
(To be completed by SPD)

A review of the MWBE directory revealed that there are no M/WBE that sell tire deflation devices. Therefore, in collaboration with the department and Affirmative Action, it has been determined that there is no dividible work or commercially useful function that can be performed by a certified M/WBE contractor. Additionally, the manufacturer will ship the devices directly to the designated Police Department location.

Concurrence:

SPD Initiator

Division Manager/DAD

Robert Gallegos, Deputy Assistant Director
*Affirmative Action

Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

*** Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.**

Attachment to RCA #8207

File location: http://choice.cityofhouston.net/spd/forms/MWBE_form.doc

REVISED: 03/20/2008

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8221

Subject: Approve the Sole Source Purchase of a Gas Chromatograph/Mass Spectrometer for the Houston Police Department S45-Q23148-S	Category # 4	Page 1 of 1	Agenda Item 4

FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	**Origination Date** February 25, 2009	**Agenda Date** MAR 1 1 2009
DIRECTOR'S SIGNATURE	**Council District(s) affected** All	
For additional information contact: Joseph Fenninger 3/26/09 **Phone:** (713) 308-1708 Ray DuRousseau **Phone:** (832) 393-8726	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Approve the sole source purchase from Agilent Technologies, Inc. in the amount of $114,915.21 for a Gas Chromatograph/Mass Spectrometer for the Houston Police Department.

Award Amount: $114,915.21	**Finance Budget**
$114,915.21 - Police Special Services Fund (2201)	

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve a sole source purchase from Agilent Technologies, Inc. in the amount of $114,915.21 for a Gas Chromatograph/Mass Spectrometer for the Houston Police Department and that authorization be given to issue a purchase order. This new system will be used to analyze controlled substances such as clandestine drugs/narcotics (liquids, tablets and capsules). The analysis will then be used in criminal prosecutions.

Agilent Technologies Inc. is the sole proprietor, manufacturer, supplier and distributor of the 7890/5975 TAD GC/MS.

The scope of work requires the contractor to furnish all labor, equipment, materials, tools, supervision, training and transportation necessary to furnish and install one gas chromatograph/mass spectrometer system in the Department's Crime Laboratory, located at 1200 Travis. The system consists of a Gas Chromatograph (GC), Mass Spectrometer (MS), and an auto injector module for the GC, an ion gauge controller for the MS, an auto sampler tray module and a reference library. The entire system will come with a full five-year warranty and the life expectancy is ten years.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (7) (A) of the Texas Local Government Code for exempt procurements.

Buyer: Sandy Yen
Purchase Requisition: 10068855

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization: 3/26/09	Other Authorization:

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Ordinance authorizing the abandonment and sale of Burdine Street, from Gasmer Road to Dryad Drive, in exchange for the conveyance to the City of a 60-foot-wide utility easement, located in the Replat of New Westbury Village, Section 3, and the construction of a ±150-foot section of West Airport Boulevard connecting to Chimney Rock Road. **Parcels SY3-052 and VY4-006**	**Page** 1 of 2	**Agenda Item #** 5
FROM (Department or other point of origin): Department of Public Works and Engineering	**Origination Date** 3-5-09	**Agenda Date** MAR 11 2009
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., D.WRE, BCEE, Director	**Council District affected:** C PSM Key Map 571B/I	
For additional information contact: Nancy P. Collins **Phone:** (713) 837-0881 Senior Assistant Director-Real Estate	**Date and identification of prior authorizing Council Action:** C.M. 2003-1301 (11/05/03)	

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of Burdine Street, from Gasmer Road to Dryad Drive, in exchange for a consideration of $300.00 plus the conveyance to the City of a 60-foot-wide utility easement, located in the Replat of New Westbury Village, Section 3, and the construction of a ±150-foot section of West Airport Boulevard connecting to Chimney Rock Road. **Parcels SY3-052 and VY4-006**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

By Motion 2003-1301, City Council authorized the abandonment and sale of Burdine Street, from Gasmer Road to Dryad Drive, in exchange for the conveyance to the City of a 60-foot-wide storm sewer easement, located in the Replat of New Westbury Village, Section 3, and the construction of a ±150-foot section of West Airport Boulevard connecting to Chimney Rock Road. Thereafter, the abutting property owner, Houston Independent School District, requested that the storm sewer easement conveyance be changed to a utility easement conveyance. This request was approved and the transaction was processed as reflected in the above subject description. Houston Independent School District wants to remove the street to facilitate the expansion of Westbury High School located at 11911 Chimney Rock Road.

Houston Independent School District has completed the transaction requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to Houston Independent School District:

Parcel SY3-052

73,623-square-foot portion of Burdine Street Valued at $1.50 per square foot	$110.435.00 (Rounded)
Burdine Street Improvements:	$46,830.00
TOTAL ABANDONMENTS	**$157,265.00**

s:\psm\sy3-052.rc2.doc CUIC #20PSM227

REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:** Andrew F. Icken, Deputy Director Planning and Development Services Division

F&A 011.A Rev. 3/94
7530-0100403-00

In exchange, Houston Independent School District will:

Pay cash: $300.00

Plus convey to the City:

Parcel VY4-006
73,623-square-foot portion of Burdine Street $55,217.00 (Rounded)
Valued at $0.75 per square foot

Houston Independent School District will receive:

Construction Credit
150 foot section of West Airport Boulevard $137,500.00

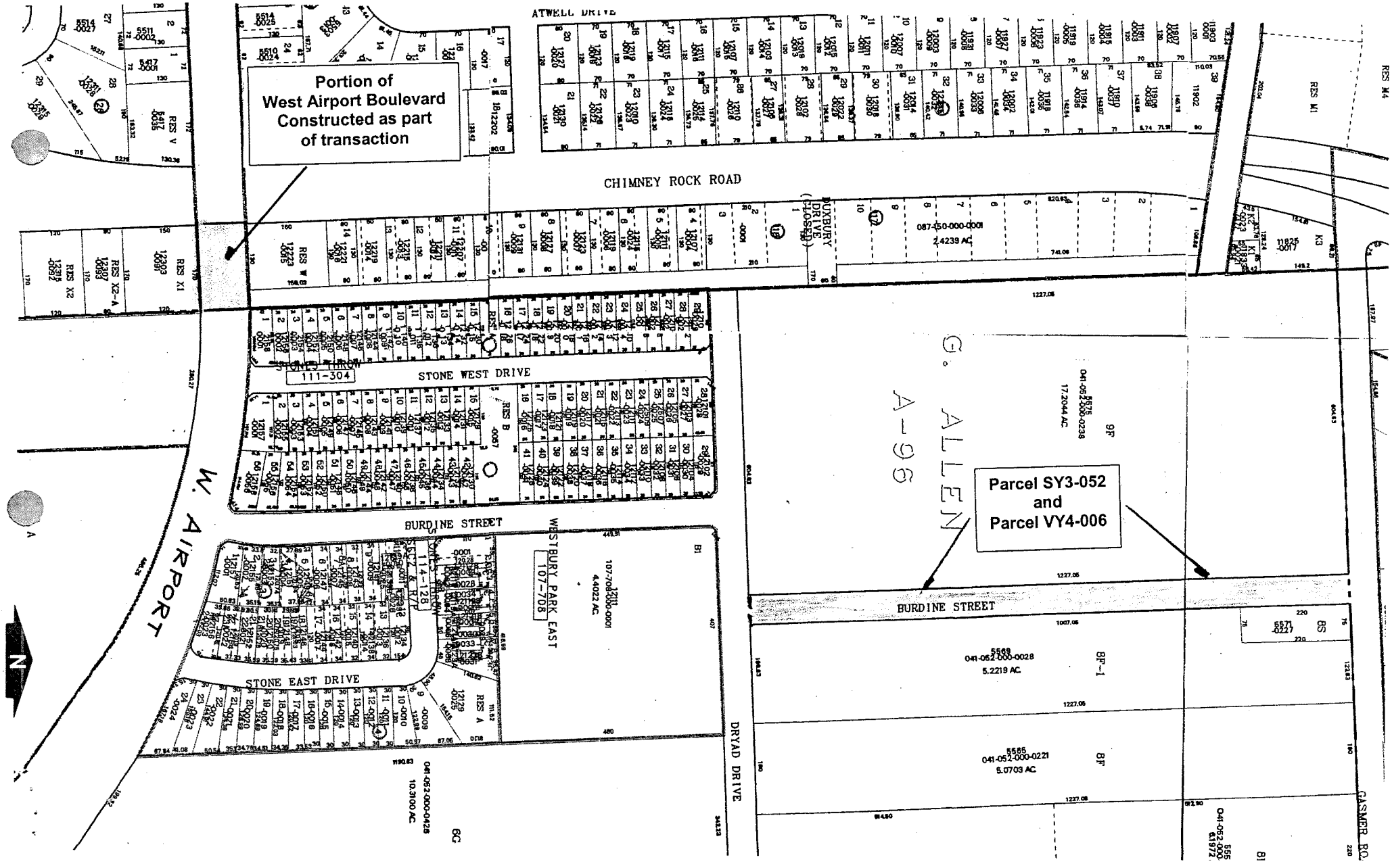
TOTAL CREDIT AND CONVEYANCES **$193,017.00**

Inasmuch as the value of the $300.00 minimum fee plus the easement being conveyed to the City and the credit for the construction of a section of West Airport Boulevard are greater than the value of the street and the street improvements being abandoned and sold, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Burdine Street, from Gasmer Road to Dryad Drive, in exchange for a consideration of $300.00 plus the conveyance to the City of a 60-foot-wide utility easement, located in the Replat of New Westbury Village, Section 3, and the construction of a ±150-foot section of West Airport Boulevard connecting to Chimney Rock Road.

MSM:NPC:psm

c: Jun Chang, P.E.
Raymond D. Chong, P.E., PTOE
Daniel Menendez, P.E.
Marty Stein

Abandonment and sale of Burdine Street, from Gasmer Road to Dryad Drive, in exchange for the conveyance to the City of a 60-foot-wide utility easement, located in the Replat of New Westbury Village, Section 3, and the construction of a ±150-foot section of West Airport Boulevard connecting to Chimney Rock Road. **Parcels SY3-052 and VY4-006**



MOTION NO. 2003 1301

MOTION by Council Member Vasquez that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Jerry Scott, Jr. of Cobourn Linseisen & Ratcliff, Inc., 13100 Northwest Freeway, Suite 500, Houston, Texas, 77040, on behalf of Houston Independent School District (HISD), for the abandonment and sale of Burdine Street, from Gasmer Road to Dryad Drive, located in the Replat of New Westbury Village, Section 3, and a conditional right of entry for Houston Independent School District, Parcel Nos. SY3-052 and LY3-005, be adopted as follows:

1. The City abandon and sell Burdine Street, from Gasmer Road to Dryad Drive, in exchange for the conveyance to the City of a 60-foot-wide storm sewer easement, located in the Replat of New Westbury Village, Section 3, and the construction of a ±150-foot section of West Airport Boulevard connecting to Chimney Rock Road;

2. The applicant be granted a right of entry, conditioned upon the applicant's completing the construction of a ±150-foot section of West Airport Boulevard connecting to Chimney Rock Road;

3. The applicant be required to cut, plug, and abandon the 8-inch water line in Burdine Street, at no cost to the City and under the proper permits, and pay the depreciated value of the water line being abandoned;

4. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies;

5. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;

6. The Legal Department be authorized to prepare the necessary transaction documents; and

7. Inasmuch as the value of the property interests is not expected to exceed $25,000.00, that the value be established by staff appraisal, according to City policy.

Seconded by Council Member Tatro and carried.

Mayor Pro Tem Quan, Council Members Tatro,
Galloway, Goldberg, Edwards, Wiseman, Ellis,
Keller, Vasquez, Alvarado, Parker, Sekula-Gibbs
and Berry voting aye
Nays none
Mayor Brown and Council Member Robinson absent
Mayor Pro Tem Quan presiding

PASSED AND ADOPTED this 5th day of November, 2003.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is November 11, 2003.

City Secretary

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Ordinance authorizing the abandonment and sale of a 16-foot-wide utility easement and the attendant aerial easement, in exchange for conveyance to the City of a 16-foot-wide utility easement, all within Restricted Reserve A, located in the RVB Reserve C Subdivision. **Parcels SY8-004 and VY8-031**	**Page** 1 of 1	**Agenda Item #** 6
FROM (Department or other point of origin): Department of Public Works and Engineering	**Origination Date** 3-4-09	**Agenda Date** MAR 11 2009
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., D.WRE, BCEE, Director	**Council District affected:** G Key Map 488L	
For additional information contact: Nancy P. Collins **Phone:** (713) 837-0881 Senior Assistant Director-Real Estate	**Date and identification of prior authorizing Council Action:** C.M. 2007-0835 (8/8/07)	

RECOMMENDATION: (Summary) It is recommended City Council approve an Ordinance authorizing abandonment and sale of a 16-foot-wide utility easement and the attendant aerial easement, in exchange for a consideration of $178,310.00 plus conveyance to the City of a 16-foot-wide utility easement, all within Restricted Reserve A, located in the RVB Reserve C Subdivision. **Parcels SY8-004 and VY8-031**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

By Council Motion 2007-0835, City Council authorized the abandonment and sale to FR-Enclave, L.P. (formerly Friedkin Realty – Enclave, LP) [The Pyramid Family Group, Inc. (Frank Gruen, President) General Partner] of a 16-foot-wide utility easement and the attendant aerial easement, in exchange for conveyance to the City of a 16-foot-wide utility easement, all within Restricted Reserve A, located in the RVB Reserve C Subdivision. FR-Enclave, L.P. plans to construct parking for two office towers, a training center, and a garage for Gulf States Toyota in the location of the easement to be abandoned and sold.

FR-Enclave, L.P. has complied with the Motion requirements, has accepted the City's offer, and has rendered payment in full.

The City will sell to FR-Enclave, L.P.:

Parcel SY8-004

19,308 square feet of utility easement Valued at $10.00 per square foot	$193,080.00
TOTAL ABANDONMENT	**$193,080.00**

In exchange, FR-Enclave, L.P. will pay:

Cash Plus convey to the City	$178,310.00

Parcel VY8-031

1,477 square feet of utility easement Valued at $10.00 per square foot	$14,770.00
TOTAL CASH AND CONVEYANCE	**$193,080.00**

Therefore, it is recommended City Council approve an Ordinance authorizing the abandonment and sale of a 16-foot-wide utility easement and the attendant aerial easement, in exchange for a consideration of $178,310.00 plus conveyance to the City of a 16-foot-wide utility easement, all within Restricted Reserve A, located in the RVB Reserve C Subdivision.

MSM:NPC:dob

c: Jun Chang, P.E. Daniel Menendez, P.E. Marty Stein

s:\dob\sy8-004.rc2.doc CUIC #20DOB038

REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:** Andrew F. Icken, Deputy Director Planning and Development Services Division

F&A 011.A Rev. 3/94
7530-0100403-00

MOTION NO. 2007 0835

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Nael Ashour, Walter P. Moore & Associates, 3131 Eastside, Second Floor, Houston, Texas, 77098, on behalf of Friedkin Realty - Enclave, LP [The Pyramid Family Group, Inc. (Frank Gruen, President) General Partner], for the abandonment and sale of a 16-foot-wide utility easement, within Restricted Reserve A, located in the RVB Reserve C Subdivision, Parcel Nos. SY8-004 and VY8-031, be adopted as follows:

1. The City abandon and sell a 16-foot-wide utility easement and the attendant aerial easement, in exchange for conveyance to the City of a 16-foot-wide utility easement along the northern property line and east of the utility easement to be abandoned and sold, all within Restricted Reserve A, located in the RVB Reserve C Subdivision;
2. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the utility easement being abandoned and sold;
3. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
4. The Legal Department be authorized to prepare the necessary transaction documents; and
5. Mr. George Sims and Mr. Michael Copland, independent real estate appraisers, are hereby appointed to establish the value, inasmuch as the value of the property interests is expected to exceed $25,000.00.

Seconded by Council Member Alvarado and carried.

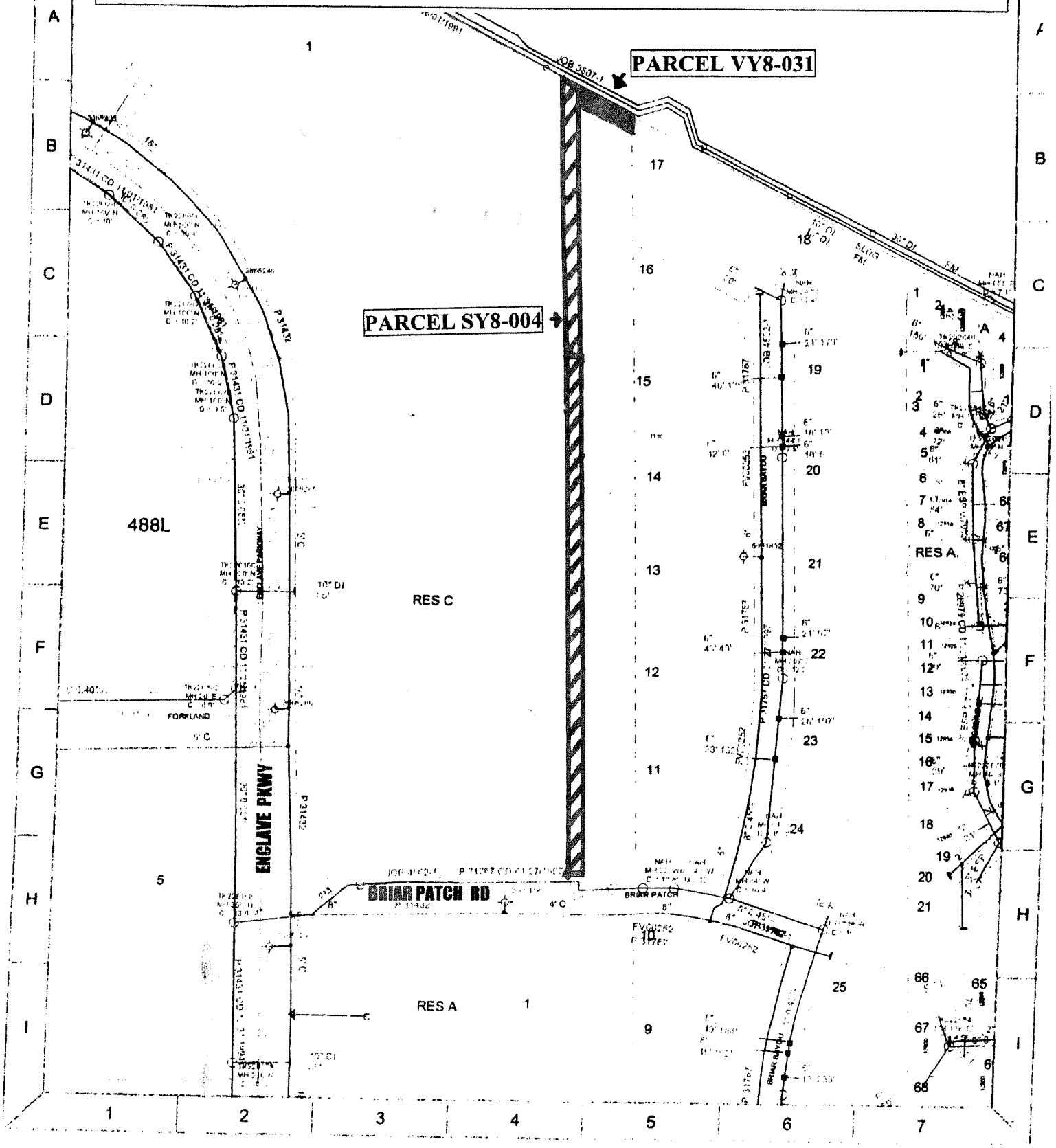
Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell, Noriega, Green and Berry voting aye
Nays none

PASSED AND ADOPTED this 8th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 14, 2007.

City Secretary

SUBJECT: Request for the abandonment and sale of a 16-foot-wide utility easement and the attendant aerial easement, in exchange for conveyance to the City of a 16-foot-wide utility easement, all within Restricted Reserve A, located in the RVB Reserve C Subdivision. **Parcels SY8-004 and VY8-031**



1 inch equals 200 feet

0 50 100 150 200 Feet

CITY OF HOUSTON

Department of Public Works & Engineering

Geographic Information & Management System (GIMS)

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Ordinance authorizing the abandonment of a portion of Arncliffe Drive, from Streamside Drive west ±181 feet, subject to the retention by the City of a full-width utility and hike and bike trail easement, in exchange for the conveyance to the City of right-of-way for and construction of a cul-de-sac at the eastern terminus of Arncliffe Drive, all located in the Inwood Forest Subdivision, Section 14, out of the K. Morgan Survey, A-573. **Parcels SY6-098, QY9-009, and AY7-256**	**Page** 1 of 2	**Agenda Item #** 7
FROM (Department or other point of origin): Department of Public Works and Engineering	**Origination Date** 3-4-09	**Agenda Date** MAR 11 2009
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., D.WRE, BCEE, Director	**Council District affected:** A Key Map 411Q	
For additional information contact: Nancy P. Collins **Phone:** (713) 837-0881 Senior Assistant Director-Real Estate	**Date and identification of prior authorizing Council Action:** C.M. 2007-0212 (2/28/07)	

RECOMMENDATION: (Summary) It is recommended City Council approve an Ordinance authorizing the abandonment of a portion of Arncliffe Drive, from Streamside Drive west ±181 feet, subject to the retention by the City of a full-width utility and hike and bike trail easement, in exchange for the conveyance to the City of right-of-way for and construction of a cul-de-sac at the eastern terminus of Arncliffe Drive, all located in the Inwood Forest Subdivision, Section 14, out of the K. Morgan Survey, A-573. **Parcels SY6-098, QY9-009, and AY7-256**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

By Council Motion 2007-0212, City Council authorized the abandonment of a portion of Arncliffe Drive, from Streamside Drive west ±350 feet, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac at the eastern terminus of Arncliffe Drive, all located in the Inwood Forest Subdivision, Section 14. Subsequent to passage of the Motion the required survey determined the correct length of the subject street to be abandoned as ±181 feet for a total square footage of ±11,060. Subsequent to the Motion it was also determined that a full-width utility and hike and bike trail easement would be retained by the City in the location of the subject street to be abandoned to allow the existing private and public utilities to remain in the said location. Harris County Flood Control District requested the closure of the subject portion of Arncliffe Drive to implement its Vogel Creek Conveyance Improvement Project plan.

Harris County Flood Control District has complied with the Motion requirements. No monetary consideration was part of this transaction.

The City will abandon:

Parcel SY6-098
±11,060 square feet of right-of-way

The City will retain:

Parcel QY9-009
±11,060 square feet as a utility and hike and bike easement

In exchange, Harris County Flood Control District will convey to the City:

Parcel AY7-256
±4,888 square feet of right-of-way and construction of the cul-de-sac (street)

s:\dob\sy6-098.rc2.doc CUIC #20DOB036

REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:** Andrew F. Icken, Deputy Director Planning and Development Services Division

F&A 011.A Rev. 3/94
7530-0100403-00

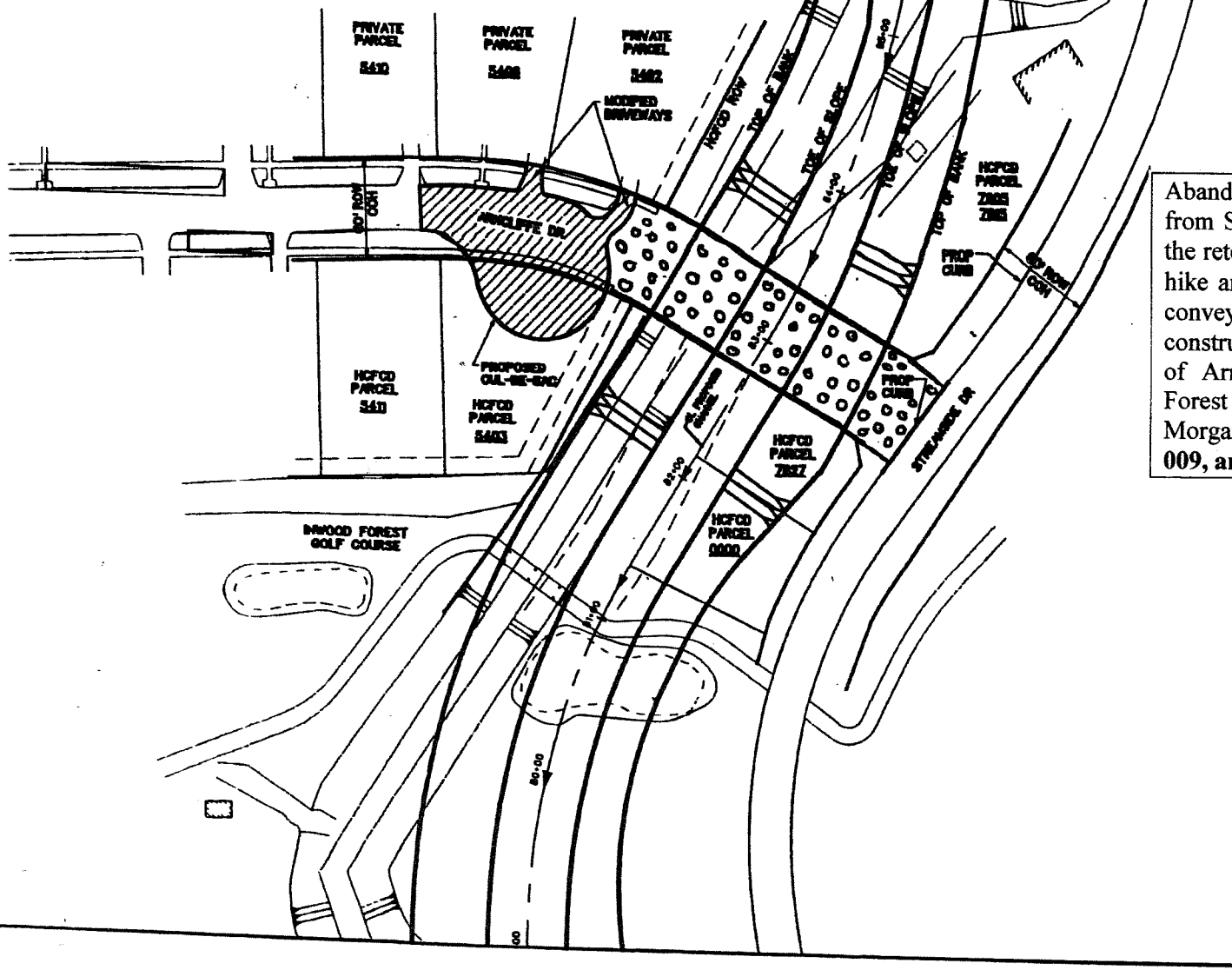
Therefore, it is recommended City Council approve an Ordinance authorizing the abandonment of a portion of Arncliffe Drive, from Streamside Drive west ±181 feet, subject to the retention by the City of a full-width utility and hike and bike trail easement, in exchange for the conveyance to the City of right-of-way for and construction of a cul-de-sac at the eastern terminus of Arncliffe Drive, all located in the Inwood Forest Subdivision, Section 14, out of the K. Morgan Survey, A-573.

MSM:NPC:dob

c: Jun Chang, P.E.
Raymond D. Chong, P.E., P.T.O.E.
Marlene Gafrick
Daniel Menendez, P.E.
Marty Stein

Parcels SY6-098 and QY9-009
Street abandonment and Full-width utility and hike and bike easement

Parcel AY7-256
Cul-de-sac constructed and conveyed to the City



NTS

Abandonment of a portion of Arncliffe Drive, from Streamside Drive west ±181 feet, subject to the retention by the City of a full-width utility and hike and bike trail easement, in exchange for the conveyance to the City of right-of-way for and construction of a cul-de-sac at the eastern terminus of Arncliffe Drive, all located in the Inwood Forest Subdivision, Section 14, out of the K. Morgan Survey, A-573. **Parcels SY6-098, QY9-009, and AY7-256**

CivilTech Engineering, Inc.
11821 Telge Road
Cypress, Texas 77429
PH: (281) 304-0200 - FX: (281) 304-0210

VOGEL CREEK CONVEYANCE IMPROVEMENTS
HCFC UNIT 121-00-00-E003
HARRIS COUNTY FLOOD CONTROL DISTRICT
HOUSTON, TEXAS

ATTACHMENT B
PROPOSED ARNCLIFFE DRIVE

APRIL 13, 2005	220019	

MOTION NO. 2007 0212

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Darrell L. Kaderka, CivilTech Engineering, Inc., 11821 Telge Road, Cypress, Texas 77429, on behalf of Harris County Flood Control District (HCFCD), for the removal of the street pavement on Arncliffe Drive, from Streamside Drive west ±350 feet, and removal of the box culverts and bridge at Vogel Creek and Arncliffe Drive, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac at the eastern terminus of Arncliffe Drive, all located in the Inwood Forest Subdivision, Section 14, Parcels SY6-098 and AY7-256, be adopted as follows:

1. The City abandon a portion of Arncliffe Drive, from Streamside Drive west ±350 feet, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac at the eastern terminus of Arncliffe Drive, all located in the Inwood Forest Subdivision, Section 14,

2. The applicant be required to reroute the 8-inch water line attached to the Vogel Creek Bridge to below the Vogel Creek channel, all at no cost to the City and under the proper permits;

3. The applicant be required to remove the street pavement on Arncliffe Drive between Streamside Drive and Vogel Creek, raise the level of the affected land to match the adjacent land elevation, and plant vegetative ground cover, all at no cost to the City and under the proper permits;

4. The applicant be required to construct continuous curbing along Streamside Drive to eliminate the appearance of a public intersection at Arncliffe Drive, all at no cost to the City and under the proper permits;

5. The applicant be required to delay the removal of the existing street improvements until the end of the public school term on or about May 24, 2007;

6. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies;

7. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property; and

8. The Legal Department be authorized to prepare the necessary transaction documents.

Seconded by Council Member Alvarado and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell and Green voting aye
Nays none
Council member Berry absent

PASSED AND ADOPTED this 28th day of February, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is March 6, 2007.

City Secretary

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Ordinance authorizing the abandonment and sale of Hickory Street from the Texas and New Orleans Railroad right of way south ±355 feet, Morin Place from its western terminus east ±92 feet, and a 10-foot-wide storm sewer easement, in exchange for the conveyance to the City of two 20-foot-wide storm sewer easements, a 10-foot-wide sanitary sewer easement, and a 10-foot by 20-foot fire hydrant easement, all located in North Side Buffalo Bayou. **Parcels SY8-003A, SY8-003B, SY8-003C, LY8-021A, LY8-021B, DY9-034, and KY9-081**	**Page** 1 of 1	**Agenda Item #** 8
FROM (Department or other point of origin): Department of Public Works and Engineering	**Origination Date** 3-6-09	**Agenda Date** MAR 11 2009
DIRECTOR'S SIGNATURE: 30909 Michael S. Marcotte, P.E., D.WRE, BCEE, Director	**Council District affected:** H Key Map 493L	DD for BAM
For additional information contact: Nancy P. Collins **Phone:** (713) 837-0881 Senior Assistant Director-Real Estate	**Date and identification of prior authorizing Council Action:** C.M. 2007-0824 (08/8/07)	

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of Hickory Street from the Texas and New Orleans Railroad right of way south ±355 feet, Morin Place from its western terminus east ±92 feet, and a 10-foot-wide storm sewer easement, in exchange for a consideration of $347,550.00 plus the conveyance to the City of two 20-foot-wide storm sewer easements, a 10-foot-wide sanitary sewer easement, and a 10-foot by 20-foot fire hydrant easement, all located in North Side Buffalo Bayou. **Parcels SY8-003A, SY8-003B, SY8-003C, LY8-021A, LY8-021B, DY9-034, and KY9-081**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

By Council Motion 2007-0824, City Council authorized the subject transaction. Subsequent to the Motion it was determined a 10-foot-wide storm sewer easement would be requested to be abandoned and sold and a 10-foot-wide sanitary sewer easement and a 10-foot by 20-foot fire hydrant easement would be conveyed to the City. Trinity Lutheran Church plans to combine its portion of the streets being abandoned and sold into its abutting property to expand its current campus.

Because the construction requirements associated with this transaction will be completed after the City Council passes the abandonment ordinance, Trinity Lutheran Church has provided a Letter of Credit (LOC) for $11,275.00, an amount equal to the total estimated remaining construction costs required to (a) cut, plug, and abandon or convert to private service the existing 8-inch sanitary sewer line located in Hickory Street, from its terminus in Hickory Street to the southern property line of 1105 Hickory Street, (b) install a back-end manhole at the new terminus of the sanitary sewer line, (c) cut, plug, and abandon the existing 8-inch water line located in Hickory Street, from its terminus in Hickory Street to the southern property line of 1105 Hickory Street, and (d) install a fire hydrant at the new terminus of the water line. If the applicant does not complete all the construction requirements within twelve months from the effective date of the ordinance, the LOC will permit the City to complete all the construction requirements in place of the applicant.

Trinity Lutheran Church has complied with the motion requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to Trinity Lutheran Church:

Parcel SY8-003A

10,581 square feet of street right-of-way	$338,592.00
Valued at $32.00 per square foot	
Depreciated value of improvements	$15,872.00

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REQUIRED AUTHORIZATION

Finance Department	**Other Authorization:**	**Other Authorization:**
		Andrew F. Icken, Deputy Director Planning and Development Services Division

F&A 011.A Rev. 3/94
7530-0100403-00

Parcel SY8-003B	
4,583 square feet of street right-of-way Valued at $36.50 per square foot	$167,280.00 (R)
Depreciated value of improvements	$6,875.00
Parcel SY8-003C	
1,298 square feet of storm sewer easement Valued at $16.00 per square foot	$20,768.00
TOTAL ABANDONMENTS	**$549,387.00**

In exchange, Trinity Lutheran Church will pay:

Cash	$347,550.00
Parcel LY8-021A	
7,052 square feet of storm sewer easement Valued at $16.00 per square foot	$112,832.00
Parcel LY8-021B	
3,533 square feet of storm sewer easement Valued at $18.25 per square foot	$ 64,477.00 (R)
Parcel DY9-034	
1,333 square feet of sanitary sewer easement Valued at $16.00 per square foot	$ 21,328.00
Parcel KY9-081	
200 square feet of fire hydrant easement Valued at $16.00 per square foot	$ 3,200.00
TOTAL CASH AND CONVEYANCES	**$549,387.00**

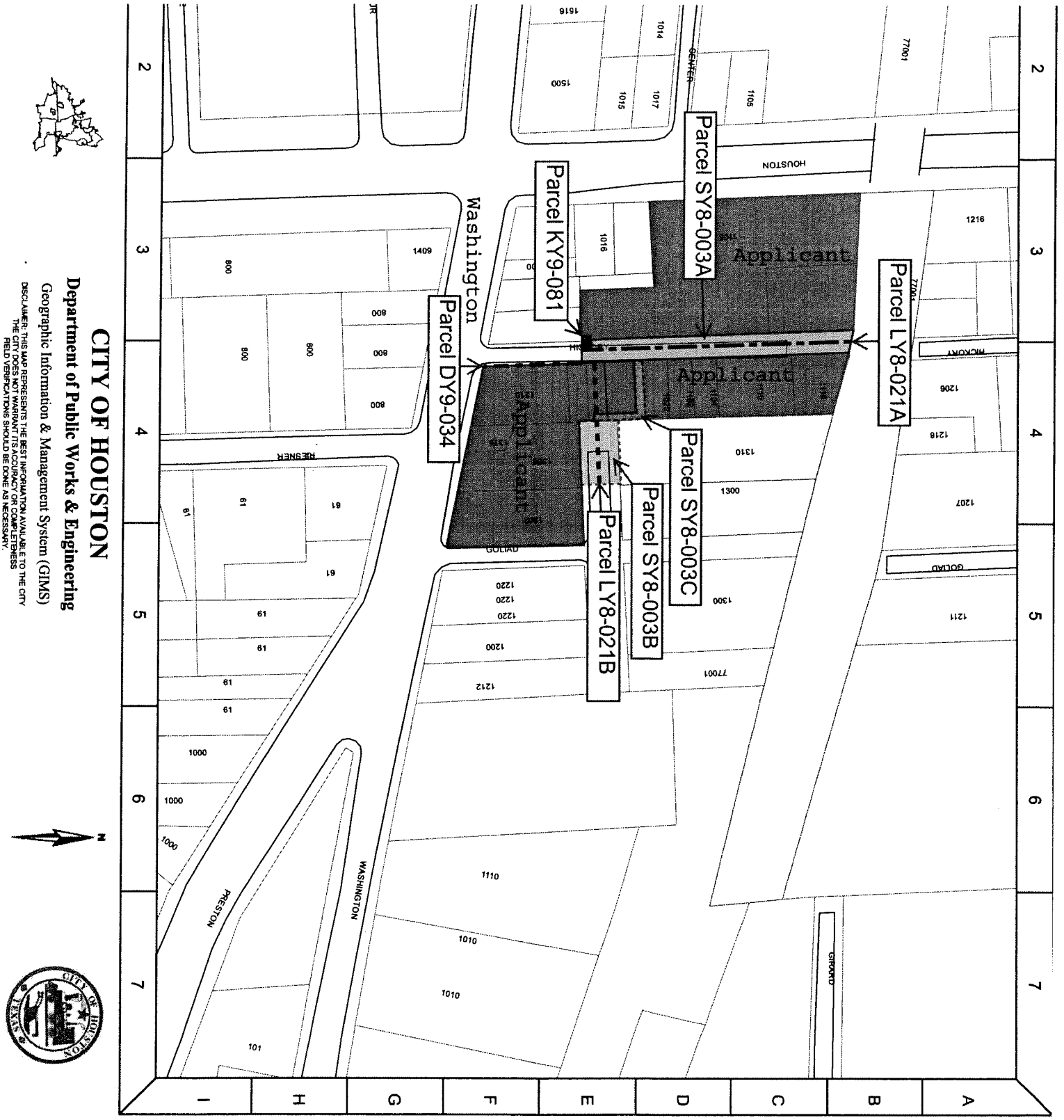
Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Hickory Street from the Texas and New Orleans Railroad right of way south ±355 feet, Morin Place from its western terminus east ±92 feet, and a 10-foot-wide storm sewer easement, in exchange for a consideration of $347,550.00 plus the conveyance to the City of two 20-foot-wide storm sewer easements, a 10-foot-wide sanitary sewer easement, and a 10-foot by 20-foot fire hydrant easement, all located in North Side Buffalo Bayou.

MSM:NPC:bam

c: Phil Boriskie
Jun Chang, P.E.
Raymond D. Chong, P.E., P.T.O.E.
Daniel Menendez, P.E.

PARCEL MAP

Description: Abandonment and sale of Hickory Street from the Texas and New Orleans Railroad right of way south ±355 feet and Morin Place from its western terminus east ±92 feet and a 10-foot-wide storm sewer easement, in exchange for the conveyance to the City of two 20-foot-wide storm sewer easements, a 10-foot-wide sanitary sewer easement, and a 10-foot by 20-foot fire hydrant easement, all located in North Side Buffalo Bayou. Parcels SY8-003A, SY8-003B, SY8-003C, LY8-021A, LY8-021B, DY9-034 and KY9-081



MOTION NO. 2007 0824

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from James E. Vanderwater, 9011 Linkmeadow Lane, Houston, Texas 77025, on behalf of Trinity Lutheran Church (Stephen Maynard, Chairman), for the abandonment and sale of Hickory Street from the Texas and New Orleans Railroad south ±356 feet and Morin Place from its western terminus east ±92 feet, in exchange for the conveyance to the City of two storm sewer easements, all located in North Side Buffalo Bayou, Parcels SY8-003A, SY8-003B, LY8-021A and LY8-021B, be adopted as follows:

1. The City abandon and sell Hickory Street from the Texas and New Orleans Railroad south ±356 feet and Morin Place from its western terminus east ±92 feet, in exchange for the conveyance to the City of two 20-foot-wide storm sewer easements centered over the existing storm sewers in Hickory Street and Morin Place, all located in North Side Buffalo Bayou;

2. The applicant be required to (a) cut, plug, and abandon or convert to private service the 8-inch sanitary sewer line in Hickory Street, from the terminating manhole in Hickory Street to the southern property line of 1105 Hickory Street, and pay the depreciated value for the sanitary sewer line and (b) install a back-end manhole at the new terminus of the sanitary sewer line. All of the foregoing items must be completed at no cost to the City and under the proper permits;

3. The applicant be required to (a) cut, plug, and abandon the 8-inch water line in Hickory Street, from its terminus in Hickory Street to the southern property line of 1105 Hickory Street and pay the depreciated value for the water line and (b) install a fire hydrant at the new terminus of the water line. All of the foregoing items must be completed at no cost to the City and under the proper permits;

4. The applicant be required to eliminate the public street appearance of Hickory Street at its intersection with Washington Avenue, at no cost to the City and under the proper permits;

5. The applicant be required to prepare drawings that show all public utilities (water, sanitary sewer, and storm sewer) and streets that are abandoned, relocated, and constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the council motion shall be attached to the plan set when it is submitted for plan review;

6. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with a Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Items 2, 3, and 4 above in lieu of performing such work prior to finalization of the ordinance for this transaction. Should this option be selected, the applicant will be required to provide a LOC showing the City of Houston as beneficiary and in the amount of the estimated construction cost approved by the City. The LOC will be for a specific time period which may be less than but not longer than twelve months from the effective date of the ordinance for the transaction. Upon the applicant's satisfactory completion of the construction-related work as evidenced by written inspection clearance/approval by the Office of the City Engineer, PWE, at the applicant's request the City will release the LOC;

7. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the streets being abandoned and sold;

8. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;

9. The Legal Department be authorized to prepare the necessary transaction documents; and

10. Mr. John Fox and Mr. Patrick O'Connor, independent real estate appraisers, are hereby appointed to establish the value, inasmuch as the value of the property interest is expected to exceed $25,000.00.

Seconded by Council Member Alvarado and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell, Noriega, Green and Berry voting aye
Nays none

PASSED AND ADOPTED this 8th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 14, 2007.

City Secretary

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinance supplementing the City of Houston, Texas Master Ordinance providing for the issuance of Combined Utility System Revenue Obligations and authorizing issuance of City of Houston, Texas, Combined Utility System First Lien Revenue and Refunding Bonds Series 2009A	**Category #**	**Page 1 of 3**	**Agenda Item#** 9
FROM: (Department or other point of origin): Finance Department and Office of City Controller	**Origination Date** 3/6/2009		**Agenda Date** MAR 11 2009
DIRECTOR'S SIGNATURE: Michelle Mickell	**Council Districts affected:** All		
For additional information contact: Charles Leal **Phone:** 713-837-9892; Jim Moncur **Phone:** 832-393-3525	**Date and identification of prior authorizing Council Action:** Ord. 2004-0299; Ord. 2008-0876		

RECOMMENDATION: (Summary) Approve an Ordinance supplementing the City of Houston, Texas Master Ordinance providing for the issuance of Combined Utility System Revenue Obligations and authorizing issuance of City of Houston, Texas, Combined Utility System First Lien Revenue and Refunding Bonds Series 2009A in an aggregate amount not to exceed $490 million, authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto.

Amount of Funding: N/A

Finance Budget:

SOURCE OF FUNDING: [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)

SPECIFIC EXPLANATION:

The Finance Working Group (the "FWG") is recommending refunding certain Combined Utility System commercial paper notes, reimbursing general purpose funds, funding a construction fund, refunding the Series 2008D-2 bonds, and financing all related costs of issuance.

Combined Utility System Revenue Refunding Bonds Series 2009A

Refunding of Commercial Paper Program Series A

In 1993, City Council began authorizing various commercial paper programs to provide appropriation capacity and on time funding for various needs of the City. The issuance of commercial paper has provided an expedient, cost–effective method of accessing cash and providing interim financing. The commercial paper notes are later refinanced to fixed rate bonds that match the useful life of the project or equipment being financed. This transaction represents the normal refunding of these commercial paper notes held by the Combined Utility System in an amount up to $310 million.

Reimbursement of General Purpose Funds

Due to the destabilization of the credit markets, on October 1, 2008 City Council authorized Ordinance 2008-0876. This Ordinance authorized the temporary use of the CUS General Purpose Fund to pay for CUS CIP projects, appropriating the funds, and authorizing the reimbursement of these capital expenditures to the CUS General Purpose Fund out of future commercial paper or bond proceeds. This transaction includes the reimbursement of up to $30 million to the CUS General Purpose Fund.

REQUIRED AUTHORIZATION

Finance Director:	**Other Authorization:**	**Other Authorization:**

Funding a Construction Fund

The CUS annual CIP is approximately $275 million, all of which is typically funded using CUS Commercial Paper Notes, Series A, which are periodically converted to bonds. Due to current and ongoing risks that the credit/financial crisis poses to the CUS Commercial Paper program Series A, the FWG recommends issuing an amount not to exceed $100 million for the creation of a Construction Fund. A construction fund will pay four to six months of CUS water and sewer CIP expenditures. In the event of further credit market disruptions, this construction fund will provide the flexibility to delay the next commercial paper refunding, if needed, and access the market when it is the most advantageous, without interrupting the CUS CIP.

Refunding of Series 2008D-2

The CUS debt portfolio currently includes the Series 2008D-2 Variable Rate Demand Obligations (VRDOs). This bond series converted from taxable to tax-exempt on December 2, 2008. The FWG recommends refunding the Series 2008D-2 VRDOs to fixed-rate debt to reduce variable rate exposure of the Combined Utility System in an amount not to exceed $25 million.

SUMMARY

	Total Amount not to exceed
Refunding of Series A CP	$310 million
Reimbursement of General Purpose Funds	$ 30 million
Funding of Construction Fund	$100 million
Refunding of Series 2008D-2	$ 25 million
	$465 million
Cash Funding of Associated Debt Reserve Fund	$ 25 million
CUS Revenue Refunding Bonds Series 2009A	**$490 million**

At the February 3rd, 2009 Budget and Fiscal Affairs committee meeting, the Finance Working Group recommended Bank of America as book running manager. Due to recent events, the FWG recommends that Bank of America serve instead as a co-senior manager with Piper Jaffray serving as the book running manager. This is the only change from the original presentation to the committee; the remaining underwriting team has not changed.

The Finance Working Group now recommends the Series 2009A Bonds be issued through a negotiated financing with Piper Jaffray serving as book running manager along with Loop Capital Markets, Morgan Stanley, and Bank of America as co-senior managers. RBC Capital Markets, Siebert Brandford Shank, Southwest Securities, Ramirez & Co., and Fidelity Capital Markets Services are recommended as co-managers. Andrews Kurth LLP and Burney & Foreman are recommended as co-bond counsel. Fulbright & Jaworski and Edgardo E. Colon P.C are recommended as co-disclosure counsel.

Due to the potential size of this deal and the state of the credit markets, the FWG recommends the addition of a "selling group" to the underwriting team. This group of bankers will participate only in the sale of bonds and will have no additional responsibilities or rights. The addition of this selling group does not affect the total cost of issuance. The FWG recommends authorizing the Mayor and City Controller to select the selling group members at a later date.

This issue was discussed and reported out favorably at the February 3rd, 2009 Budget and Fiscal Affairs committee meeting, with the exception of the change to the underwriting team noted above.

Recommendation

The FWG recommends approval of this transaction.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance increasing rates and charges for the use and services of the Combined Utility System	**Page 1 of 2**	**Agenda Item #** 10
FROM: (Department or other point of origin): Department of Public Works and Engineering	**Origination Date:** 3-6-09	**Agenda Date:** MAR 11 2009
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E. D.WRE, BCEE, Director	**Council District affected:** All	
For additional information contact: Susan Bandy, Deputy Director **Phone:** 713-837-7151	**Date and identification of prior authorizing Council action:**	

RECOMMENDATION: (Summary)
Adopt ordinance approving an additional water and sanitary sewer rate increase of 1.79%

Amount and Source of Funding: *No Funds Required*

DESCRIPTION/SCOPE:

Background:
In April, 2004, the City finalized a major restructuring of the Combined Utility System's (CUS) debt and updated the CUS Master Bond Ordinance. Under the updated Master Bond Ordinance, the CUS rates are adjusted automatically each April 1st by the Houston area consumer price index (CPI). In November, 2004, Proposition One was approved by the voters of Houston. Proposition One allowed for increases in the CUS rates up to the cumulative amount of the annual CPI and the rate of population growth (based on the published estimates of the U.S. Census Bureau for the most recently available twelve month period) for all years since Proposition One was approved. Since 2004, the CUS rates have been adjusted each year automatically by the CPI only. No other rate increases have occurred during this period.

The Combined Utility System (CUS) has experienced both increased expenditures and lower than expected revenues in the past several years. More specifically:

1. The CUS has seen significant price increases in several major expense categories since FY04. The cost of chemicals rose from $9.6 million in FY04 to $20 million in FY08, and then rose to $30.9 million in FY09. Electricity rose from $32.8 million in FY04 to $56.9 million in FY08 and then to $64.1 million in FY09. While the prices on both of these expenses will decrease in FY10, they will remain significantly higher than they were previously.
2. The CUS has taken on additional costs related to drainage with current year spending of $39.4 million, up from $32.1 million in FY06.
3. Revenues have not met expectations for the current and past two years since the city experienced significant rainfall in FY07 and FY08 and revenues have been impacted in FY09 by both Hurricane Ike (use of water for landscaping essentially stopped after Ike) and reduced development in the current recession.. Overall, revenues in FY09 alone are projected to be $29.9 million below budget.
4. Debt service is rising $20 million to $42 million per year through 2011, with additional significant annual increases thereafter, as well. While this was a known part of the major debt restructuring in 2004, the revenue and expense issues noted above have made the debt service increases more significant to the CUS.

REQUIRED AUTHORIZATION 20SB21

Finance Department:	Other Authorization:	Other Authorization:

REV. 3/06

PWE is taking various steps to help deal with the issues above. We are working closely with SPD to ensure that the chemical prices are reduced by our vendors as their costs go down due to the decreases in the price of oil and other economic factors. PWE currently has an engineering firm reviewing ways to make both the NE Water Plant and the East Water plant more efficient in their use of chemicals and electricity. Also, PWE management is reviewing all maintenance practices to ensure the water and wastewater infrastructure is operating efficiently. In addition, PWE is beginning the process to hire a consultant to help find other efficiencies in operations, including an analysis of outsourced vs. in-house functions. Lastly, we will soon bring forward to City Council a contract for a water and sewer rate and impact fee study that will not only review these rates and fees, but also provide significant benchmarking of the Houston CUS's operations to other major cities' operations.

Recommendation:

- Increase the rates above the April 1, 2009 automatic rate increase (3.3%) to include the population increase (1.79%) in conformance with the proposition one.

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MSM:SB

c: Marty Stein
Susan Bandy

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance rescinding Ordinance 2008-0953 and de-appropriating $773,181.98 out of the Police Consolidated Construction Fund and Approving and Authorizing a Lease Agreement with RP Sam Houston Plaza, L.P. at 523 North Sam Houston Parkway East, Suite 200 for the Radio Communications Division of the Information Technology Department; and appropriate $737,756.31. WBS No. X-687000-0001-1-06-01		**Page** 1 of 2	**Agenda Item** 11
FROM (Department or other point of origin): General Services Department	**Origination Date** 3-5-09	**Agenda Date** MAR 11 2009	
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. 3/3/09	**Council District affected:** B		
For additional information contact: Jacquelyn L. Nisby **Phone:** 832-393-8023	**Date and identification of prior authorizing Council action:**		

RECOMMENDATION: An Ordinance rescinding Ordinance 2008-0953 and de-appropriating $773,181.98 out of the Police Consolidated Construction Fund and approve and authorize a Lease Agreement with RP Sam Houston Plaza, L.P. at 523 North Sam Houston Parkway East, Suite 200 for the Radio Communications Division of the Information Technology Department; and appropriate funds.

Amount and Source Of Funding: **$737,756.31** Police Consolidated Construction Fund (4504)	**Finance Budget:**

SPECIFIC EXPLANATION: On October 29, 2008, Ordinance No. 2008 – 0953, City Council approved a Lease Agreement with 2550 North Loop West for 7,647 square feet of lease space at 2550 North Loop West for the Radio Communications Division of the Information Technology Department (IT), and appropriated $773,181.98 out of the Police Consolidated Construction Fund. The funding was never utilized because the leased space suffered extensive damage during Hurricane Ike and thereafter the landlord went into foreclosure. As a result, IT never occupied the leased space and on February 19, 2009, the City sent a letter to the Landlord terminating the Lease Agreement.

The General Services Department (GSD) has identified other lease space for the IT department, located at 523 North Sam Houston Parkway East, Suite 200. IT will utilize this space to house the City and contract personnel responsible for implementation of the City's Emergency Radio Conversion Project. The selected contractor will pay its proportional share of the rent and operating expenses. Below, is the total cost for the initial base term for the new space which is less than the amount previously appropriated:

$ 657,216.00 Rent
$ 80,540.31 Estimated operating expenses
$ 737,756. 31 Total cost for Initial Base Term

REQUIRED AUTHORIZATION CUIC ID# 25 RB 43

General Services Department: Forest R. Christy, Jr., Director Real Estate Division		**Information Technology Department:** Richard F. Lewis Director

F &A 011.A Rev. 3/940

Therefore, GSD recommends that City Council approve and authorize a Lease Agreement with RP Sam Houston Plaza, L.P. for 8,802 square feet of leased space at 523 North Sam Houston Parkway East, Suite 200, for the IT Department. The proposed Lease Agreement provides for a five-year lease term at a monthly payment of $11,736.00 ($16.00 psf per year/$1.33 psf per month), with one five-year renewal option at the current market rate. The Landlord will build out the leased space to meet the requirements of IT. Construction costs are estimated at $80,000.00 ($9.08 psf). The Landlord will contribute a tenant improvement allowance of $88,020.00 ($10.00 psf) toward construction costs. Any unused allowance up to $26,406.00 may be used as an offset against the monthly payment.

The new lease will commence on the date the Certificate of Occupancy is signed by the City acknowledging that the Landlord has substantially completed the improvements. The monthly rental for the new lease term will begin four months after the Occupancy Date.

The Landlord is responsible for maintaining the building and IT is responsible for paying its proportionate share of its costs as well as taxes, insurance and utilities, which is estimated at $80,540.31 for the initial five-year term.

IZD:BC:JLN:RB:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance approving new contracts for elderly services with various Contractors through the Harris County Area Agency on Aging	Category #	Page 1 of 2	Agenda Item # 12

FROM (Department or other point of origin): Department of Health and Human Services	Origination Date 3/4/09	Agenda Date MAR 11 2009
DIRECTOR'S SIGNATURE: Celina Garza Rudge for SLW	Council District affected: All	
For additional information contact: Kathy Barton Telephone: 713-794-9998; pgr 713-826-5801	Date and identification of prior authorizing Council action:	

RECOMMENDATION: **(Summary)**
Adopt an ordinance approving three contracts for elderly services through the Harris County Area Agency on Aging

Amount of Funding: Maximum Contract Amount: $4,744,565.58	Finance Department:

SOURCE OF FUNDING: **[ ] General Fund [X] Grant Fund [ ] Enterprise Fund [ ] Other (Specify): Aging Title III Grant (Fund 5030)**

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance authorizing new contracts with three providers of elderly services. The providers were selected through a Request for Proposal process conducted by the Harris County Area Agency on Aging. The ordinance sets a maximum contract amount for each provider and authorizes the HDHHS Director to allocate supplemental funding as it becomes available, up to the maximum amount. The contract terms extend through September 30, 2009, with three one-year renewals. The Director may extend the contracts for an additional 90 days if funds remain. The City of Houston, as designated by the Texas Department of Aging and Disability Services, has full authority and responsibility for funds authorized under the Title of the Older Americans Action of 1965, as amended. These funds are disbursed by the U.S. Department of Health and Human Services through the Texas Department of Aging and Disability Services and administered by the Department's Harris County Area Agency on Aging.

Services provided by these contractors include:

- **Congregate Meal** services include a hot or appropriate meal that meets the recommended dietary allowance and is served to an eligible person at a congregate meal site.
- **Caregiver Information services and Education and Training** services include the establishment of support groups for caregivers, conferences and training for those providing care to older adults.
- **Instruction and Training services** include providing experience or knowledge to individuals or professionals working with older individuals to acquire skills in a formal, informal, or in individual or group settings.

REQUIRED AUTHORIZATION

Finance Department	Other Authorization:	Other Authorization:

F&A 011.C REV. 12/94
7530-01 00403-00

- **Respite in-home and non-residential services** includes temporary relief of caregivers that includes an array of services provided to people who need supervision. In-home services are provided in the client's home environment on a short term, temporary basis while the primary caregiver is unavailable or needs relief. Non-residential respite services are provided in an adult type day care location while the primary caregiver is unavailable or needs relief. Services may also include meal preparation, housekeeping and assistance with personal care and/or social recreational activities. The City or the service provider identifies the client eligible for services.
- **Personal Assistance** includes the performance of personal care tasks including bathing, dressing, feeding, grooming, transferring / ambulation to individuals who need assistance with performing activities of daily living in their residence.
- **Homemaker** services provided by trained and supervised homemakers involving the performance of housekeeping and home management, meal preparation, or escort tasks and shopping assistance provided to older individuals who require assistance with these activities in their place of residence.

The Contractors and their respective total contract value are:

Contractor	Maximum Contract Amount	Services
Alzheimer's Association	$353,856.02	Caregiver Information Services and Caregiver Instruction and Training
Neighborhood Centers Inc.	$3,338,834.56	Congregate Meals
Perrylee Home Health	$1,051,875.00	Personal Assistance, Homemaker Services and In-Home Respite Services
TOTAL:	**$4,744,565.58**	

Cc: Finance Director
Legal Department
Agenda Director

HCD09-15

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance authorizing contracts between the City of Houston and various contractors approved to demolish and reconstruct seven (7) houses for the Single Family Home Repair Program.	Category #	Page 1 of 2	Agenda Item # 13

FROM (Department or other point of origin): Richard S. Celli, Director, Housing and Community Development Department (HCDD)	Origination Date 2/5/09	Agenda Date MAR 11 2009
DIRECTOR'S SIGNATURE: for Richard Celli	Council District affected: B, D & H	
For additional information contact: Ray Daniels, Phone: (713) 868-8321	Date and identification of prior authorizing Council action: July 14, 2004 Ordinance No. 2004-0773; Oct 18, 2006 Ordinance No. 2006-1056; July 30, 2008 Ordinance No. 2008-0683	

RECOMMENDATION: (Summary)

An Ordinance authorizing contracts between the City of Houston and Joshua Dade Homes, CM Construction and General Contractor Services, Inc. to demolish and reconstruct seven (7) houses for the Single Family Home Repair Program.

Amount of Funding:

Total Bid Price	$ 537,650.00
Plus Contingencies (10%)	53,765.00
Total Amount of Funding	$ 591,415.00

F&A Budget:

SOURCE OF FUNDING [ ] General Fund [x] Grant Fund [ ] Enterprise Fund

CDBG Fund 5000 - $ 591,415.00

[ ] Other (Specify)

Specific Explanation:

A Request for Proposals (RFP) was publicly announced seeking contractors for turnkey new home construction for the Single Family Home Repair Program on November 5, 2007. Contractors selected from this RFP will be used for construction of homes for the Tier III (Reconstruction) component of the Single Family Home Repair Program.

Approved proposals from qualified contractors obtained from the RFP were selected by homeowners in selection meetings held by the Housing and Community Development Department (HCDD). Homeowners were informed of the Program Guidelines and each contractor's exterior renderings, floor plans and material selections were presented by staff members of HCDD before the homeowners made their selections. The names of seven (7) homeowners, construction site addresses, contract amounts and the names and business addresses of the contractors awarded the contracts are on page 2 of this request.

REQUIRED AUTHORIZATION

(3) NOT

Finance Director:	Other Authorization:	Other Authorization:
Michelle McPhail		

Date	Subject:	Originators Initials KK	Page 2 of 2

Homeowner Name & Address	Contractor Name & Address	Contract Amount
Eula V. Hogan 4429 Elmwood Houston, TX 77051 District D	Joshua Dade Homes 16519 Kingscote Dr. Crosby, TX 77532	$77,300.00
Robert L. Glee, Sr. 2417 S. Victory Houston, TX 77088 District B	Joshua Dade Homes 16519 Kingscote Dr. Crosby, TX 77532	$77,300.00
Mary F. Gainous 4213 Mallow Houston, TX 77051 District D	Joshua Dade Homes 16519 Kingscote Dr. Crosby, TX 77532	$79,900.00
Anna M. Roberts 1707 Erin Street Houston, TX 77009 District B	CM Construction 6711 Gleneagles Pasadena, TX 77505	$76,500.00
Ulysses Sylvester 1609 West Street Houston, TX 77026 District H	CM Construction 6711 Gleneagles Pasadena, TX 77505	$76,500.00
Ruben Neal 3507 Providence Houston, TX 77021 District D	CM Construction 6711 Gleneagles Pasadena, TX 77505	$70,000.00
Lurline Hall 6619 Conley Houston, TX 77021 District D	General Contractor Services, Inc. 7324 Southwest Freeway, Suite 710 Houston, TX 77074	$80,150.00

HCD09-09b

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: An Ordinance amending Ordinance No.2007-1193, as amended by Ordinance No.2008-661 and appropriating $2,026, 000 out of TIRZ Affordable Housing Fund (Fund 2409) for the Workforce Housing Downpayment Assistance Program; and approving use of the funds.	Category #	Page 1 of 1	Agenda Item # 14
FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department	Origination Date 02/10/09	Agenda Date MAR 1 1 2009	
DIRECTOR'S SIGNATURE:	Council District affected: " All"		
For additional information contact: Juan Chavez Phone: 713-865-4196	Date and identification of prior authorizing Council action: Ordinance# 2007-1193 dated July 23, 2008; Ordinance #2008-661 dated October 24, 2008.		

RECOMMENDATION: (Summary) An Ordinance amending Ordinance No.2008-661 and appropriating $2,026,000 out of TIRZ Affordable Housing Fund (Fund 2409) for the Workforce Housing Downpayment Assistance Program; and approving use of the funds.

Amount of Funding: $2,026,000 TIRZ Affordable Housing Fund 2409-300001508	Finance Department Budget:

SOURCE OF FUNDING [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] CDBG

[X] Other (Specify) TIRZ AFFORDABLE HOUSING FUND # 2409-300001508

SPECIFIC EXPLANATION:

The City Of Houston Housing and Community Development Department (HCDD) created the Workforce Housing Downpayment Assistance Program (Workforce Program) to assist qualified applicants with purchasing new affordable housing in areas designated by the Mayor for revitalization. Unlike existing downpayment assistance programs that use federal funds and target lower income applicants, the Workforce Program provides assistance to potential homebuyers earning from 80% to 110% of area median income adjusted for family size.

Since the inception of the Workforce Program in March of Fiscal Year 2008, HCDD has provided 42 loans to eligible applicants. Demand for the program has grown from an average of 4 loans per month since the program began, to 9 loans per month over the last 3 months, with a high of 11 loans for December. With increased emphasis on marketing, HCDD anticipates maintaining the current level of 11 loans per month or 132 loans over the next year, this funding will support ½ year funding of 66 (sixty-six) homes at $30,000 per home.

HCDD is requesting $2,026,000 (out of which $35,000 will be set aside for project delivery costs) to cover six months of operations.

Approval is recommended.

cc: City Secretary
Legal Department
Finance Department
Mayor's Office

REQUIRED AUTHORIZATION

Finance Department Director:	Other Authorization:	Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD09-13

09- Mountain Top

SUBJECT: An ordinance approving and authorizing a $140,000 contract between the City of Houston and Mountain Top Development, Inc., using Federal HOME funds to assist in the development of two (2) affordable single-family houses in the Sunnyside and Trinity Gardens Houston Hope areas.	Category #	Page 1 of 2	Agenda Item # 15

FROM (Department or other point of origin): Housing and Community Development Department	Origination Date: 01/23/09	Agenda Date: MAR 11 2009
DIRECTOR'S SIGNATURE: Richard S. Celli, Director	Council District affected: B and D	
For additional information contact: Donald Sampley, Assistant Director **Phone:** 713-868-8458	Date and identification of prior authorizing Council action:	

RECOMMENDATION: (Summary)

The Department recommends approval of an ordinance authorizing a $140,000 contract between the City of Houston and Mountain Top Development, Inc. using Federal HOME funds to assist in the development of two (2) affordable single-family houses in the Sunnyside and Trinity Gardens Houston Hope areas.

Amount of Funding: $140,000 | Finance Budget:

SOURCE OF FUNDING [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund

[X] Other (Specify) HOME FUND Grant Funds (5000)

SPECIFIC EXPLANATION:

Mountain Top Development, Inc., (Mountain Top) is a 501(c) 3 nonprofit corporation certified as a Community Housing Development Organization (CHDO) by the City of Houston.

The Housing and Community Development Department (HCDD) proposes providing a total of $140,000 to Mountain Top in Federal HOME funds to assist in the development of two (2) affordable single-family houses in the Sunnyside and Trinity Gardens Houston Hope areas. The $140,000 will be in the form of a secured grant. The HCDD construction subsidy will be $70,000 per house. HCDD will require that there be an interim construction lender that finances the entire project costs. At the completion of construction, HCDD will reduce the interim construction loan with the subsidy.

The sites must comply with HUD's environmental regulations. The newly constructed houses will be sold to families whose annual incomes do not exceed 80% of AMI, and who will occupy the property as their principal residence.

The City will allow the CHDO (Mountain Top) to retain the proceeds generated from this CHDO development activity provided that Mountain Top performs as required under the contract and provided that Mountain Top uses the proceeds from the sale of the houses to conduct HOME-eligible activities in the Houston Hope area. HOME Regulations do not apply to use of the proceeds.

The net project proceeds must be kept in an interest bearing account at a financial institution approved by the HCDD Director. Net project proceeds cannot be withdrawn by the CHDO without prior written approval of the HCDD Director.

REQUIRED AUTHORIZATION

Finance Director	Other Authorization:	Other Authorization:

The development is consistent with the City's Consolidated Plan to provide affordable housing for low-income residents. HCDD secured HUD's approval of this contract before submittal to City Council.

The plan to give Mountain Top funds to assist in the development of affordable single-family houses in the Houston Hope area was published for 30 days in the local newspaper. There was no citizen or community opposition to the Mountain Top development.

The Department recommends approval of an ordinance approving and authorizing a $140,000 contract between the City of Houston and Mountain Top Development, Inc., using Federal HOME Housing Funds to assist in the development of two (2) affordable single-family houses in the Sunnyside and Trinity Gardens Houston Hope areas.

RSC:DHS:MEB

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

R

SUBJECT: Ordinance consenting to the creation of the International Management District	**Category #**	**Page** 1 of 2	**Agenda Item #** 16
FROM (Department or other point of origin): Planning and Development	**Origination Date** March 2, 2009	**Agenda Date** MAR 11 2009	
DIRECTOR'S SIGNATURE: Marlene H. Gafrick	**Council District affected:** F, G & C		
For additional information contact: Nicole Smothers **Phone:713-837-7856**	**Date and identification of prior authorizing Council action:**		
RECOMMENDATION: (Summary) Approve ordinance consenting to the creation of the International Management District.			
Amount and Source of Funding: N/A	**Finance Budget:**		

SPECIFIC EXPLANATION:

Management districts are special districts created by the Texas legislature. Generally, these districts are empowered to promote, develop, encourage and maintain employment, commerce, transportation, housing, tourism, recreation, arts, entertainment, economic development, safety and public welfare. Typically, management districts are given the power to finance their operations by issuing bonds or other obligations, payable in whole or in part from ad valorem taxes, assessments, impact fees or other funds of the District to provide improvements and services. They may not levy a tax assessment on single-family detached residences. Further, districts may levy a tax only after holding an election within the district.

A management district is intended to supplement, not supplant, existing public services. Creation of these districts does not release a municipality from its obligations to provide services to the areas; nor does it require additional services from the municipality. Except as a result of a Governing Body's action to dissolve a district, the municipality assumes no liability for the debts, obligations or liabilities of the district.

The Planning and Development Department recommends City Council consent to the creation of the following district.

International Management District: Authorized by the 80th Legislature in 2007, the majority of this district is located in Council District F with small portions in Districts C and G. Another substantial portion of this district is located west of the City of Houston city limit line. Following city consent to the creation of the district, the District's Board of Directors will adopt a service plan that is expected to focus on public transportation, parking, improved access to the area, landscape and beautification improvements and marketing the area.

For this district, the City provides its consent under the following conditions:

1. Bonds will be issued by the District only for the purposes provided in the legislation creating the District. The District must obtain the approval of the City Council of the City of Houston for the issuance of bonds for any improvement project. In lieu of approval of an individual bond issue by the City Council of the City of Houston, the district may obtain approval from the governing body of the City of Houston of a capital improvements budget for a period not to exceed five years setting forth the projects for which the District proposes to issue its bonds. In the event the District obtains approval of a capital improvements budget, it may issue bonds to finance any capital improvements specified in the budget without further approval from the City of Houston. No land will be added or annexed to the district until the City of Houston has given its written consent by Ordinance of the City council to such addition or annexation.

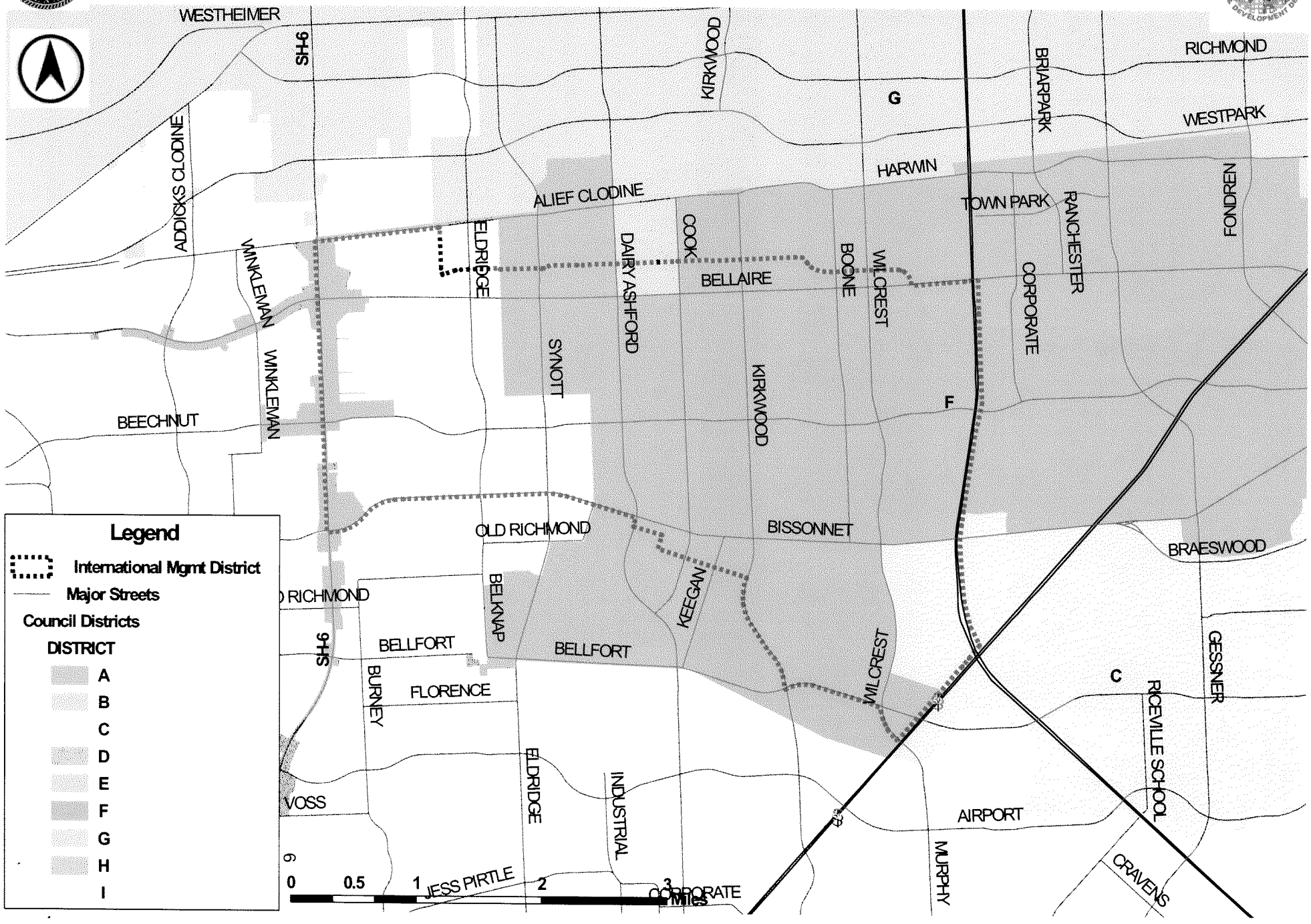
2. The district must obtain approval from the Department of Planning and Development and the Department of Public Works of the City of Houston of the plans and specifications of any improvement project that involves the use of the rights-of-way of streets, roads, highways or the use of land owned by the City of Houston.
3. The City Council of the City of Houston may, by a vote of no less than two-thirds (2/3rds) of the entire membership, adopt an ordinance dissolving the District. Upon the adoption of such an ordinance, the District shall be dissolved, and, in accordance with Sections 375.263 and 43.075, Local Government Code, the City of Houston shall (1) succeed to the property and assets of the District and (2) assume all debts, obligations and liabilities of the district.

cc: Marty Stein
Arturo Michel
Deborah McAbee
Anna Russell

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:

International Management District



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary | **RCA #**

SUBJECT: Approval of an ordinance to approve a First Amendment to the Tri-Party Agreement between the City of Houston, Texas, Reinvestment Zone Number Fourteen and the Fourth Ward Redevelopment Authority.	**Category #**	**Page** 1 of 1	**Agenda Item#** 17
FROM: (Department or other point of origin): Michelle Mitchell, Director Finance Department	**Origination Date** 3-4-09		**Agenda Date** MAR 1 1 2009
DIRECTOR'S SIGNATURE: Michelle Mitchell	**Council Districts affected:** D, I		
For additional information contact: Robert Fiederlein **Phone:** (832)393-8091	**Date and identification of prior authorizing Council Action:** Ord. 2000-1110, 12/13/00		

RECOMMENDATION: (Summary)
City Council to approve a First Amendment to the Tri-Party Agreement between the City of Houston, Texas, Reinvestment Zone Number Fourteen and the Fourth Ward Redevelopment Authority.

Amount of Funding: No Funding Required | **Finance Budget:**

SOURCE OF FUNDING: [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)

SPECIFIC EXPLANATION:
On April 9, 2008, the City of Houston, TIRZ #14 and the Federal Reserve Bank of Dallas Houston Branch entered into an agreement providing for prepayment of $15 million to the City by the Bank for its property taxes on its property located within the TIRZ and located, generally, at W. Dallas, Gillette St. and Allen Parkway. The prepayment was to facilitate by the City and TIRZ certain public improvement projects in the vicinity of the Bank including, but not limited to, improvements to San Felipe Park and Gillette St.

Shortly after the formation of the TIRZ, the City, the board of the TIRZ and the board of the Fourth Ward Redevelopment Authority entered into an agreement (the Tri-Party Agreement) whereby the Authority would implement the City Council-approved project and financing plan of the Zone on behalf of the City and the Zone. This agreement contemplated the annual transfer to the Authority of the incremental property tax revenues generated within the boundaries of the TIRZ and levied by the participating entities. The Tri-Party Agreement did not contemplate the scenario of a tax paying property owner prepaying their property taxes. To facilitate the transfer of the Federal Reserve Bank-derived funds from the City to the Authority, an amendment of the Agreement is necessary. The proposed First Amendment to the Tri-Party Agreement adds a new Article V-1 entitled "Federal Reserve Bank Prepayment" that provides the means for this transfer to occur. By the new Article V-1 the prepayment shall constitute other revenue to be used in the Zone and shall be deposited into the Tax Increment Fund pursuant to statute and paid to the Authority per Article V of the agreement. The City's Finance Department shall keep a record of each year's taxes owed and shall debit this amount against $15MM amount until exhausted. At that point, the Federal Reserve will again begin paying property taxes to the City.

Additionally, Article V is amended to allow for funds in the annual operating budget approved by City Council that are designated specifically for affordable housing within the Fourth Ward area to pass through to the Authority for implementing such City Council approved projects. If no funds are budgeted specifically for the Fourth Ward area, all affordable housing funds will go to the Housing and Community Development Department as they have previously.

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Finance Director:	**Other Authorization:**	**Other Authorization:**

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary | **RCA #**

SUBJECT: Approval of an ordinance to approve the Fiscal Year 2009 Operating Budget and FY 2009-FY2013 CIP for Tax Increment Reinvestment Zone Number Fourteen (Fourth Ward Zone).	**Category #**	**Page** 1 of 1	**Agenda Item#** 17a
FROM: (Department or other point of origin): Michelle Mitchell, Director Finance Department	**Origination Date** 3-10-09		**Agenda Date** 3-11-09
DIRECTOR'S SIGNATURE: MM Michelle Mitchell	**Council Districts affected:** D, I		
For additional information contact: Robert Fiederlein **Phone:** (832)393-8091	**Date and identification of prior authorizing Council Action:** Ord. 2007-1439, 12/12/07, Ord. 2007-1440, 12/12/07		

RECOMMENDATION: (Summary)
City Council to approve the 2009-2013 5-Year CIP Budget and Fiscal Year 2009 Operating Budget for Tax Increment Reinvestment Zone Number Fourteen (Fourth Ward).

Amount of Funding: No Funding Required | **Finance Budget:**

SOURCE OF FUNDING: [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)

SPECIFIC EXPLANATION:

The administration has undertaken a comprehensive review of proposed FY09 TIRZ budgets.

The Finance Department recommends approval of the FY09 Operating Budget and the approval of the 2009-2013 CIP for Tax Increment Reinvestment Zone Number Fourteen (Fourth Ward).

- Total Operating Budget for FY09 is $10,528,159 which includes $1,853,399 for required fund transfers and $8,674,760 for Project Costs.
- The 2009-2013 CIP for the Zone totals $27,296,000. The CIP includes provisions for the construction of public infrastructure including roadways, parks, public facilities, and historic preservation.
- The FY09 Operating budget includes $7,055,000 for capital expenditures and $157,635 for administration and overhead. The Zone must advise the Director of any budget amendments. Adjustments to the Project Cost in the budget of the lesser of $400,000 or 5% or more require City Council Approval.
- The budget includes a municipal services payment in FY09 of $225,000 to pay the General Fund for the incremental cost of providing services to the area.

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Finance Director:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON
FINANCE DEPARTMENT
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2009 BUDGET PROFILE

Fund Summary
Fund Name: **Fourth Ward Redevelopment Authority**
TIRZ: **14**
Fund Number: **7562/65**

PROFILE

Base Year:	1999	
Base Year Taxable Value:	$	34,286,680
Projected Taxable Value (TY2008):	$	294,682,230
Current Taxable Value (TY2007):	$	250,363,295
Acres:	133.6 acres	
Administrator (Contact):	Vanessa J. Sampson	
Contact Number:	713-526-7577	

NARRATIVE

Zone Purpose:

To facilitate the revitalization of the Historic Fourth Ward from a blighted and deteriorating neighborhood into a viable residential community with supporting commercial development. The Project Plan includes historic preservation and enhancement of historical corridors; facilitating the development of low income/affordable and market rate housing units; creation of public open spaces and infrastructure improvements.

Accomplishments in FY08 (Projects Underway):

Ratified Federal Reserve Bank Agreement

Funded Design for West Webster Park

PROJECT PLAN

	Total Plan	Cumulative Expenses (to FY08)	Variance
Capital Projects:			
Public Utilities	$ 16,640,000		$ 16,640,000
Roadway and Sidewalk Improvements	5,762,000		5,762,000
Parks	4,177,000	150,000	4,027,000
Historic Preservation	4,100,000	637,100	3,462,900
Cultural and Public Facilities	2,000,000		2,000,000
			-
			-
Total Capital Projects	$ 32,679,000	$ 787,100	$ 31,891,900
TIRZ Creation and Management	3,500,000	1,663,320	1,836,680
Educational Facilities Improvements	15,300,000	3,033,667	12,266,333
Affordable Housing Improvements	42,700,000	4,213,157	38,486,843
Total Project Plan	$ 94,179,000	$ 9,697,244	$ 84,481,756

DEBT

Additional Financial Data	**FY2007 Budget**	**2008 Actuals**	**FY2009 Budget**
Debt Service	$ -	$ -	$ -
Principal	$ -	$ -	$ -
Interest	$ -	$ -	$ -
	Balance as of 6/30/07	**Balance as of 6/30/08**	**Balance as of 6/30/09**
Year End Outstanding (Principal)			
Bond Debt		$ -	$ -
Bank Loan		$ -	$ -
Developer Agreement	$ 1,000,000	$ 1,000,000.00	
Other		$ -	$ -

CITY OF HOUSTON
FINANCE DEPARTMENT
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2009 BUDGET SUMMARY

Fund Summary
Fund Name: **Fourth Ward Redevelopment Authority**
TIRZ: **14**
Fund Number: **7562/65**

TIRZ Budget Line Items	FY2007 Budget	2008 Actuals	FY2009 Budget
Available Resources			
Beginning Fund Balance			
Restricted Funds - Capital Projects	$ -	$ -	$ -
Restricted Funds - Affd. Housing	$ -	$ -	$ -
Restricted Funds - Bond Reserve	$ -	$ -	$ -
Unrestricted Fund Balance	$ 2,090,811	$ 3,052,460	$ 3,911,288
Total Beginning Fund Balance	**$ 2,090,811**	**$ 3,052,460**	**$ 3,911,288**
TIRZ Revenue			
City	$ 1,155,814	$ 1,388,531	$ 1,454,334
ISD	$ 1,644,746	$ 1,829,555	$ 1,831,356
County	$ -	$ -	$ -
Community College	$ -	$ -	$ -
Total Revenues	$ 2,800,560	$ 3,218,086	$ 3,285,690
Bond Proceeds	$ -	$ -	$ -
Loan Proceeds	$ -	$ -	$ -
Grant Proceeds	$ -	$ -	$ -
Other	$ 20,000	$ 109,449	$ 15,114,437
Total Available Resources	**$ 4,911,371**	**$ 6,379,995**	**$ 22,311,415**
Fund Transfers			
Affordable Housing			
City of Houston	$ 385,271	$ 462,844	$ 407,318
ISD Increment to Houston	$ 548,249	$ 609,852	$ 512,912
Harris County	$ -	$ -	$ -
ISD Education Set-Aside	$ 548,249	$ 614,433	$ 610,452
Municipal Services	$ 300,000	$ 150,000	$ 225,000
Adminstration Fee to General Fund			
COH Admin Fee (5%)	$ 38,527	$ 69,427	$ 72,717
Harris County Admin	$ -	$ -	
ISD Admin	$ 25,000	$ 25,000	$ 25,000
Total Fund Transfers	**$ 1,845,296**	**$ 1,931,556**	**$ 1,853,399**
Funds Available for Projects	**$ 3,066,075**	**$ 4,448,439**	**$ 20,458,016**
Project Costs			
Adminstrative Staff	$ 60,000	$ 62,500	$ 112,000
Adminstrative Consultant	$ -	$ 10,585	$ -
Legal	$ 40,000	$ 9,550	$ 15,000
Accounting/ Audit	$ 15,700	$ 13,320	$ 15,700
Program / Project Consulting	$ -	$ -	$ -
Adminstrative Operating Expense	$ 12,000	$ 41,940	$ 29,935
Capital Expenditures	$ 142,000	$ 150,000	$ 7,055,000
Developer/ Project reimbursements	$ -	$ -	$ 1,000,000
Debt Service			
Principal	$ -	$ -	$ -
Interest	$ -	$ -	$ -
Other debt items	$ -	$ -	$ 447,125
Total Project Costs	**$ 269,700**	**$ 287,895**	**$ 8,674,760**
Total Budget	**$ 2,114,996**	**$ 2,219,451**	**$ 10,528,159**
Resources Less Transfer and Expenses	**$ 2,796,375**	**$ 4,160,544**	**$ 11,783,256**
Planned Ending Fund Balance:			
Restricted Funds - Capital Projects	$ -	$ -	$ -
Restricted Funds - Affd. Housing	$ -	$ -	$ -
Restricted Funds - Bond Reserve	$ -	$ -	$ -
Unrestricted Fund Balance	**$ 2,775,375**	**$ 3,911,288**	**$ 11,693,256**

2009 - 2013 CAPITAL IMPROVEMENT PLAN
TIRZ No. 14 - Fourth Ward Redevelopment Authority
CIP by Project

CITY OF HOUSTON - TIRZ PROGRAM
Finance Department
Economic Development Division

Council District	CIP No.	Project	FY Planned Appropriations ($ Thousands)								
			Through 2007	Projected 2008	2009	2010	2011	2012	2013	Total 2009-2013	Culmulative Total (To Date)
D, I	T-1401	Decorative Street Light Project		$ -	$ 110,000	$ 150,000	$ -	$ -	$ -	260,000	260,000
D, I	T-1402	West Webster Park		$ 150,000	$ 680,000	$ -	$ -	$ -	$ -	680,000	830,000
D, I	T-1403	Gillette Street		$ -	$ 100,000	$ 1,700,000	$ -	$ -	$ -	1,800,000	1,800,000
D, I	T-1404	San Felipe Park		$ -	$ 1,000,000	$ 2,072,000	$ -	$ -	$ -	3,072,000	3,072,000
D, I	T-1405	Wiley Park		$ -	$ 560,000	$ -	$ -	$ -	$ -	560,000	560,000
D, I	T-1406	Gregory School		$ -	$ 3,500,000	$ -	$ -	$ -	$ -	3,500,000	3,500,000
D, I	T-1407	Historic Preservation		$ -	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000	1,250,000	1,250,000
D, I	T-1408	Crosby Street Reconstruction		$ -	$ -	$ 280,000	$ 2,059,000	$ -	$ -	2,339,000	2,339,000
D, I	T-1409	Fourth Ward Street Reconstruction Project		$ -	$ 280,000	$ 3,050,000	$ 4,530,000	$ 2,000,000	$ -	9,860,000	9,860,000
D, I	T-1410	Bethel Missionary Baptist Church Preservation		$ -	$ 400,000	$ 250,000	$ 1,150,000	$ -	$ -	1,800,000	1,800,000
D, I	T-1411	Affordable Housing		$ -	$ 175,000	$ 500,000	$ 500,000	$ 500,000	$ 500,000	$ 2,175,000	$ 2,175,000
Totals				150,000	7,055,000	8,252,000	8,489,000	2,750,000	750,000	27,296,000	27,446,000

Source of Funds	FY Planned Appropriations ($ Thousands)								
	Through 2007	Projected 2008	2009	2010	2011	2012	2013	Total 2009-2013	Culmulative Total (To Date)
TIRZ No. 16									
TIRZ funds	-	150,000	7,055,000	8,252,000	8,489,000	2,750,000	750,000	27,296,000	27,446,000
Revenue bond proceeds	-	-	-	-	-	-	-	-	-
Proceeds from bank loan	-	-	-	-	-	-	-	-	-
Developer Advance/Reimbursement	-	-	-	-	-	-	-	-	-
City of Houston	-	-	-	-	-	-	-	-	-
Grants	-	-	-	-	-	-	-	-	-
Other		-	-	-	-	-	-	-	-
Project Total	-	150,000	7,055,000	8,252,000	8,489,000	2,750,000	750,000	27,296,000	27,446,000

Project:	**Decorative Street Light Project**	**City Council District**	**Key Map:** 493	**WBS.:**	**T-1401**
		Location: D, I	**Geo. Ref.:**		
		Served: D, I	**Neighborhood:** 60		

Description: Installation of bracket mount historic street lights on existing wood poles. Project includes relocation and removal of existing/surplus wood utility poles.

Justification: Existing conditions consist of sporadically placed street lights. Intent is to bring area up to code thus making the neighborhood safer for pedestrians and vehicles.

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	**Project Expenses thru 6/30/07**	**2008 Budget**	**2008 Estimate**	**2009**	**2010**	**2011**	**2012**	**2013**	**FY09 - FY13 Total**	**Culmulative Total (To Date)**
Phase										
1 Planning									$ -	$ -
2 Acquisition									$ -	$ -
3 Design									$ -	$ -
4 Construction									$ -	$ -
5 Equipment				110,000	150,000				$ 260,000	$ 260,000
6 Close-Out									$ -	$ -
7 Other									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ 110,000	$ 150,000	$ -	$ -	$ -	$ 260,000	$ 260,000
Source of Funds										
TIRZ Increment Revenue				110,000	150,000	-	-	-	$ 260,000	$ 260,000
TIRZ Increment Bond Funds									$ -	$ -
Grant Funds									$ -	$ -
Total Funds	$ -	$ -	$ -	$ 110,000	$ 150,000	$ -	$ -	$ -	$ 260,000	$ 260,000

Project:	**West Webster Park**	**City Council District**	**Key Map:** 493	**WBS.:**	**T-1402**
		Location: D, I	**Geo. Ref.:**		
		Served: D, I	**Neighborhood:** 60		

Description: Design and construct improvements at West Webster Park

Justification: The park property is currently undeveloped and requires design and construction of park improvements.

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Culmulative Total (To Date)
Phase										
1 Planning									$ -	$ -
2 Acquisition									$ -	$ -
3 Design			150,000						$ -	$ 150,000
4 Construction				680,000					$ 680,000	$ 680,000
5 Equipment									$ -	$ -
6 Close-Out									$ -	$ -
7 Other									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ 150,000	$ 680,000	$ -	$ -	$ -	$ -	$ 680,000	$ 830,000
Source of Funds										
TIRZ Increment Revenue			150,000	680,000					$ 680,000	$ 830,000
TIRZ Increment Bond Funds									$ -	$ -
Grant Funds									$ -	$ -
Total Funds	$ -	$ -	$ 150,000	$ 680,000	$ -	$ -	$ -	$ -	$ 680,000	$ 830,000

Project:	**Gillette Street**	**City Council District**	**Key Map:** 493	**WBS.:**	**T-1403**
		Location: D, I	**Geo. Ref.:**		
		Served: D, I	**Neighborhood:** 60		

Description: Reconstruct/resurface Gillette street as necessary and provide streetscape enhancements to make pedestrian-friendly connection between neighborhood and Allen Parkway.

Justification: Enhance access to Buffalo Bayou from the Fourth Ward neighborhood.

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	**Project Expenses thru 6/30/07**	**2008 Budget**	**2008 Estimate**	**2009**	**2010**	**2011**	**2012**	**2013**	**FY09 - FY13 Total**	**Culmulative Total (To Date)**
Phase										
1 Planning									$ -	$ -
2 Acquisition									$ -	$ -
3 Design				100,000					$ 100,000	$ 100,000
4 Construction					1,700,000				$ 1,700,000	$ 1,700,000
5 Equipment									$ -	$ -
6 Close-Out									$ -	$ -
7 Other									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ 100,000	$ 1,700,000	$ -	$ -	$ -	$ 1,800,000	$ 1,800,000
Source of Funds										
TIRZ Increment Revenue				100,000	1,700,000				$ 1,800,000	$ 1,800,000
TIRZ Increment Bond Funds									$ -	$ -
Grant Funds									$ -	$ -
Total Funds	$ -	$ -	$ -	$ 100,000	$ 1,700,000	$ -	$ -	$ -	$ 1,800,000	$ 1,800,000

Project:	**San Felipe Park**	**City Council District**	**Key Map:** 493	**WBS.:**	**T-1404**
		Location: D, I	**Geo. Ref.:**		
		Served: D, I	**Neighborhood:** 60		

Description: Remediate and redevelop park.

Justification: Park is currently closed due to environmental contamination. PARD will remediate contamination and provide updated park facilities.

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Culmulative Total (To Date)
Phase										
1 Planning									$ -	$ -
2 Acquisition									$ -	$ -
3 Design										
4 Construction					2,072,000				$ 2,072,000	$ 2,072,000
5 Equipment									$ -	$ -
6 Close-Out									$ -	$ -
7 Other				1,000,000					$ 1,000,000	$ 1,000,000
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	1,000,000	-	-	-	-	$ 1,000,000	$ 1,000,000
Total Allocations	$ -	$ -	$ -	$ 1,000,000	$ 2,072,000	$ -	$ -	$ -	$ 3,072,000	$ 3,072,000
Source of Funds										
TIRZ Increment Revenue				1,000,000	2,072,000				$ 3,072,000	$ 3,072,000
TIRZ Increment Bond Funds									$ -	$ -
Grant Funds									$ -	$ -
Total Funds	$ -	$ -	$ -	$ 1,000,000	$ 2,072,000	$ -	$ -	$ -	$ 3,072,000	$ 3,072,000

Project:	**Wiley Park**	**City Council District**	**Key Map:** 493	**WBS.:**	**T-1405**
		Location: D, I	**Geo. Ref.:**		
		Served: D. I	**Neighborhood:** 60		

Description: Replace damaged and outdated park equipment.

Justification: Park currently has damaged and outdated playground equipment.

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Culmulative Total (To Date)
Phase										
1 Planning									$ -	$ -
2 Acquisition									$ -	$ -
3 Design				95,000					$ 95,000	$ 95,000
4 Construction				465,000					$ 465,000	$ 465,000
5 Equipment									$ -	$ -
6 Close-Out									$ -	$ -
7 Other									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ 560,000	$ -	$ -	$ -	$ -	$ 560,000	$ 560,000
Source of Funds										
TIRZ Increment Revenue				560,000					$ 560,000	$ 560,000
TIRZ Increment Bond Funds									$ -	$ -
Grant Funds									$ -	$ -
Total Funds	$ -	$ -	$ -	$ 560,000	$ -	$ -	$ -	$ -	$ 560,000	$ 560,000

Project:	**Gregory School**	**City Council District**	**Key Map:** 493	**WBS.:**	**T-1406**
		Location: D, I	**Geo. Ref.:**		
		Served: D, I	**Neighborhood:** 60		

Description: Restoration/rehabilitation of former school into African American Archives and Library.

Justification: Facility is being redeveloped into archive and library facility. Numerous enities providing funding.

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Culmulative Total (To Date)
Phase										
1 Planning									$ -	$ -
2 Acquisition				500,000					$ 500,000	$ 500,000
3 Design									$ -	$ -
4 Construction				3,000,000					$ 3,000,000	$ 3,000,000
5 Equipment									$ -	$ -
6 Close-Out									$ -	$ -
7 Other									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ 3,500,000	$ -	$ -	$ -	$ -	$ 3,500,000	$ 3,500,000
Source of Funds										
TIRZ Increment Revenue				3,500,000					$ 3,500,000	$ 3,500,000
TIRZ Increment Bond Funds									$ -	$ -
Grant Funds									$ -	$ -
Total Funds	$ -	$ -	$ -	$ 3,500,000	$ -	$ -	$ -	$ -	$ 3,500,000	$ 3,500,000

Project:	**Historic Preservation**	**City Council District**		**Key Map:**	493	**WBS.:**	**T-1407**
		Location:	D, I	**Geo. Ref.:**			
		Served:	D, I	**Neighborhood:**	60		

Description: The preservation (and possible relocation) of historic structures within the Zone is a stated purpose of the TIRZ.

Justification: The relocation of at-risk structures to a location inside of the Zone is both economically feasible and beneficial to the City.

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	**Project Expenses thru 6/30/07**	**2008 Budget**	**2008 Estimate**	**2009**	**2010**	**2011**	**2012**	**2013**	**FY09 - FY13 Total**	**Culmulative Total (To Date)**
Phase										
1 Planning									$ -	$ -
2 Acquisition				250,000	250,000	250,000	250,000	250,000	$ 1,250,000	$ 1,250,000
3 Design									$ -	$ -
4 Construction									$ -	$ -
5 Equipment									$ -	$ -
6 Close-Out									$ -	$ -
7 Other									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 1,250,000	$ 1,250,000
Source of Funds										
TIRZ Increment Revenue				250,000	250,000	250,000	250,000	250,000	$ 1,250,000	$ 1,250,000
TIRZ Increment Bond Funds									$ -	$ -
Grant Funds									$ -	$ -
Total Funds	$ -	$ -	$ -	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 1,250,000	$ 1,250,000

Project:	**Crosby Street Reconstruction**	**City Council District**		**Key Map:**	493	**WBS.:**	**T-1408**
		Location:	D, I	**Geo. Ref.:**			
		Served:	D, I	**Neighborhood:**	60		
Description:	Reconstruction including sidewalks, roadways, street lights, and street trees on Crosby between Cleveland and West Dallas.						
Justification:	Existing conditions consist of failed roadway surface, delapitated sidewalks and poor overhead utility configurations. Recent high density residentail construction has further impacted the LOS.						

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	**Project Expenses thru 6/30/07**	**2008 Budget**	**2008 Estimate**	**2009**	**2010**	**2011**	**2012**	**2013**	**FY09 - FY13 Total**	**Culmulative Total (To Date)**
Phase										
1 Planning									$ -	$ -
2 Acquisition									$ -	$ -
3 Design					280,000	2,059,000			$ 2,339,000	$ 2,339,000
4 Construction									$ -	$ -
5 Equipment									$ -	$ -
6 Close-Out									$ -	$ -
7 Other									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ -	$ 280,000	$ 2,059,000	$ -	$ -	$ 2,339,000	$ 2,339,000
Source of Funds										
TIRZ Increment Revenue				-	280,000	2,059,000			$ 2,339,000	$ 2,339,000
TIRZ Increment Bond Funds									$ -	$ -
Grant Funds									$ -	$ -
Total Funds	$ -	$ -	$ -	$ -	$ 280,000	$ 2,059,000	$ -	$ -	$ 2,339,000	$ 2,339,000

Project:	**Fourth Ward Street Reconstruction Project**	**City Council District**		**Key Map:**	493	**WBS.:**	**T-1409**
		Location:	D, I	**Geo. Ref.:**			
		Served:	D, I	**Neighborhood:**	60		

Description: Roadway reconstruction and streetscape enhancement on Ruthven, Robin, Buckner, Cleveland, Saulnier, Victor, Mathews, Genese, Webster, Cook, and Sutton. Improvements include sidewalks, waste and storm water system upgrades.

Justification: Existing conditions consist of subsurface street failure, missing curbs, none or intermediate sidewalks.

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	**Project Expenses thru 6/30/07**	**2008 Budget**	**2008 Estimate**	**2009**	**2010**	**2011**	**2012**	**2013**	**FY09 - FY13 Total**	**Culmulative Total (To Date)**
Phase										
1 Planning									$ -	$ -
2 Acquisition									$ -	$ -
3 Design				280,000	330,000	330,000			$ 940,000	$ 940,000
4 Construction					2,720,000	4,200,000	2,000,000		$ 8,920,000	$ 8,920,000
5 Equipment									$ -	$ -
6 Close-Out									$ -	$ -
7 Other									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ 280,000	$ 3,050,000	$ 4,530,000	$ 2,000,000	$ -	$ 9,860,000	$ 9,860,000
Source of Funds										
TIRZ Increment Revenue				280,000	3,050,000	4,530,000	2,000,000		$ 9,860,000	$ 9,860,000
TIRZ Increment Bond Funds									$ -	$ -
Grant Funds									$ -	$ -
Total Funds	$ -	$ -	$ -	$ 280,000	$ 3,050,000	$ 4,530,000	$ 2,000,000	$ -	$ 9,860,000	$ 9,860,000

Project:	**Bethel Missionary Baptist Church Preservation**	**City Council District**	**Key Map:** 493	**WBS.:**	**T-1410**
		Location: D, I	**Geo. Ref.:**		
		Served: D, I	**Neighborhood:** 60		

Description: Founded in 1891 by Rev, Jack Yates, a former slave, the Church was a prominate feature in the Freedman's Town Historic District. The structure was listed in the National Register of Historic Places in 1996.

Justification: Destroyed by fire on January 24, 2005, the Zone desires to save and stabliize the building walls and convert the site into a public plaza.

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Culmulative Total (To Date)
Phase										
1 Planning									$ -	$ -
2 Acquisition				350,000					$ 350,000	$ 350,000
3 Design					250,000				$ 250,000	$ 250,000
4 Construction						1,150,000			$ 1,150,000	$ 1,150,000
5 Equipment									$ -	$ -
6 Close-Out									$ -	$ -
7 Other				50,000					$ 50,000	$ 50,000
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	50,000	-	-	-	-	$ 50,000	$ 50,000
Total Allocations	$ -	$ -	$ -	$ 400,000	$ 250,000	$ 1,150,000	$ -	$ -	$ 1,800,000	$ 1,800,000
Source of Funds										
TIRZ Increment Revenue				400,000	250,000	1,150,000			$ 1,800,000	$ 1,800,000
TIRZ Increment Bond Funds									$ -	$ -
Grant Funds									$ -	$ -
Total Funds	$ -	$ -	$ -	$ 400,000	$ 250,000	$ 1,150,000	$ -	$ -	$ 1,800,000	$ 1,800,000

Project:	**Affordable Housing**	**City Council District**	**Key Map:** 493	**WBS.:**	**T-1411**
		Location: D, I	**Geo. Ref.:**		
		Served: D, I	**Neighborhood:** 60		

Description: Affordable housing iniatitives in association with FWRA owned property at 1103 Gennessee, 1502 & 1414 Robin, 1511 Andrews, 1413 Cleveland, 1405 Wilson, 1019 & 0 Andrews.

Justification: The Development of affordable housing in the greater Fourth Ward is one of the primary stated purposes of the TIRZ Project Plan.

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Culmulative Total (To Date)
Phase										
1 Planning									$ -	$ -
2 Acquisition				175,000					$ 175,000	$ 175,000
3 Design									$ -	$ -
4 Construction					500,000	500,000	500,000	500,000	$ 2,000,000	$ 2,000,000
5 Equipment									$ -	$ -
6 Close-Out									$ -	$ -
7 Other									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ 175,000	$ 500,000	$ 500,000	$ 500,000	$ 500,000	$ 2,175,000	$ 2,175,000
Source of Funds										
TIRZ Increment Revenue				175,000	500,000	500,000	500,000	500,000	$ 2,175,000	$ 2,175,000
TIRZ Increment Bond Funds									$ -	$ -
Grant Funds									$ -	$ -
Total Funds	$ -	$ -	$ -	$ 175,000	$ 500,000	$ 500,000	$ 500,000	$ 500,000	$ 2,175,000	$ 2,175,000

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary | **RCA #**

SUBJECT: Approval of an ordinance to approve the 2009 -2013 5-Year CIP Budget and Fiscal Year 2009 Operating Budget for Southwest Houston Redevelopment Authority (TIRZ No. 20).	**Category #**	**Page** 1 of 1	**Agenda Item#** 18
FROM: (Department or other point of origin): Michelle Mitchell, Director, Finance Department	**Origination Date** February 3, 2009		**Agenda Date** MAR 1 1 2009
DIRECTOR'S SIGNATURE: Michelle Mitchell, Finance Department	**Council Districts affected:** F and G		
For additional information contact: Robert Fiederlein **Phone:** (832)393-8091; Julia Gee **Phone:** (713)837-7828	**Date and identification of prior authorizing Council Action:** Ord. 2009-0111, 2/18/09		

RECOMMENDATION: (Summary)

City Council approve an ordinance to approve the 2009 - 2013 5-Year CIP Budget and Fiscal Year 2009 Operating Budget for Southwest Houston Redevelopment Authority (TIRZ No. 20).

Amount of Funding: No Funding Required | **Finance Budget:**

SOURCE OF FUNDING: [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)

SPECIFIC EXPLANATION:

On February 18, 2009, City Council approved an amendment to the Project Plan and Reinvestment Zone Financing Plan (the "Amended Plan") for Tax Increment and Reinvestment Zone Number Twenty. The Southwest Houston Redevelopment Authority and City staffs have prepared a Fiscal Year 2009 Operating Budget and 5-Year CIP in accordance with the Amended Plan. The Finance Department recommends approval of the attached FY09 Operating Budget and the FY2009-2013 CIP for Southwest Houston Redevelopment Authority.

- Total Operating Budget for FY2009 is $6,216,718 which includes $530,606 for required fund transfers and $5,686,112 for Project Costs.
- The 2009 – 2013 CIP for Zone totals $19,476,899. The CIP includes mobility improvement along Bellaire and Fondren Blvds. (intersections, median closures and modifications) and Bellaire drainage.
- The FY09 Operating Budget includes $1,319,255 for capital expenditures and $104,320 for administration and overhead. The Zone authority has a third-party administrator to manage redevelopment activities of the TIRZ. The Zone must advise the Director of any budget amendments. Adjustments to the Project Costs in the budget of the lesser $400,000 or 5% or more require City Council approval.
- The budget includes a municipal services payment in FY09 of $250,000 to support city-issued debt to construct a new police station.

Attachments: TIRZ Profile, FY09 Operating Budget, and FY 2009-2013 CIP.

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:

Finance 08/29/08

CITY OF HOUSTON
FINANCE DEPARTMENT
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2009 BUDGET PROFILE

Fund Summary
Fund Name: **SW Houston Redevelopment Authority**
TIRZ: **20**
Fund Number: **7568/64**

PROFILE

Base Year:		1999
Base Year Taxable Value:	$	766,295,210
Projected Taxable Value (TY2008):	$	1,650,606,657
Current Taxable Value (TY2007):	$	1,481,594,672
Acres:		2,052 acres
Administrator (Contact):		Bill Calderon
Contact Number:		(713) 595-1216

NARRATIVE

Zone Purpose:

1) Address Mobility deficiencies along the Bellaire/Fondren commercial corridors with necessary capital improvements, 2) provide resources for the redevelopment of the Sharpstown Mall and Bellaire/Fondren commercial corridors to expand the tax base and increase output of sales tax revenues to the City General Fund, and 3) reimburse Westchase Section 3 Partners (Halliburton) for improvements made to their property to render it developable.

Accomplishments in FY08 (Projects Underway):

In Fiscal Year 2008, the SouthwestHouston TIRZ:

- Completed the Bellaire/Fondren Intersection Project;
- Completed preliminary engineering and began detail design of the Bellaire Access Management Project;
- Prepared an amended project plan to guide its work for the next several years.

PROJECT PLAN

	Total Plan	Cumulative Expenses (to FY08)	Variance
Capital Projects:			
Sharpstown Center Area Public Improvements	$ 20,000,000	$ -	$ 20,000,000
Area Public Improvements	20,410,000	5,784,611	14,625,389
Westchase Section Improvements (Halliburton)	10,150,953	12,120,155	(1,969,202)
Municipal Services Agreement - HPD Dist. 18	5,250,000	550,000	4,700,000
Total Capital Projects	$ 55,810,953	$ 18,454,766	$ 37,356,187
Affordable Housing	-		-
Education Facilities	-		-
Financing Costs	35,000,000	5,561,311	29,438,689
Administration Costs	1,670,000	1,536,609	133,391
Creation Costs	80,000	81,085	(1,085)
Total Project Plan	$ 92,560,953	$ 25,633,771	$ 66,927,182

DEBT

Additional Financial Data	FY2008 Budget	2008 Actual	FY2009 Budget
Debt Service	$ 994,918	$ 994,919	$ 997,369
Principal	$ 490,000	$ 490,000	$ 510,000
Interest	$ 504,918	$ 504,919	$ 487,369
	Balance as of 6/30/07	**Balance as of 6/30/08**	**Balance as of 6/30/09**
Year End Outstanding (Principal)			
Bond Debt	$ 11,880,000	$ 11,390,000	$ 10,880,000
Bank Loan	$ -	$ 500,000	$ 500,000
Developer Agreement	$ 4,200,819	$ -	$ -
Other		$ -	$ -

CITY OF HOUSTON
FINANCE DEPARTMENT
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2009 BUDGET SUMMARY

Fund Summary
Fund Name: **SW Houston Redevelopment Authority**
TIRZ: **20**
Fund Number: **7568/64**

TIRZ Budget Line Items	FY2008 Budget	2008 Actual	FY2009 Budget
Available Resources			
Beginning Fund Balance			
Restricted Funds - Capital Projects	$ 5,860,645	$ 1,954,697	$ 496,832
Restricted Funds - Affd. Housing	$ -	$ -	$ -
Restricted Funds - Bond Reserve	$ 1,053,608	$ 1,097,587	$ 1,151,580
Unrestricted Fund Balance	$ 5,084,592	$ 4,580,483	$ 7,438,086
Total Beginning Fund Balance	**$ 11,998,845**	**$ 7,632,767**	**$ 9,086,498**
TIRZ Revenue			
City	$ 3,171,662	$ 4,319,577	$ 5,612,113
ISD	$ -	$ -	$ -
County	$ -	$ -	$ -
Community College	$ -	$ -	$ -
Total Revenues	$ 3,171,662	$ 4,319,577	$ 5,612,113
Bond Proceeds	$ -	$ -	$ -
Loan Proceeds	$ -	$ 500,000	$ -
Grant Proceeds	$ -	$ -	$ -
Other	$ 350,000	$ 233,868	$ 86,500
Total Available Resources	**$ 15,520,507**	**$ 12,686,212**	**$ 14,785,111**
Fund Transfers			
Affordable Housing			
City of Houston	$ -	$ -	$ -
ISD Increment to Houston	$ -	$ -	$ -
Harris County	$ -	$ -	$ -
ISD Education Set-Aside	$ -	$ -	$ -
Municipal Services	$ 250,000	$ 550,000	$ 250,000
Adminstration Fee to General Fund			
COH Admin Fee (5%)	$ 158,583	$ 215,978	$ 280,606
Harris County Admin	$ -	$ -	$ -
ISD Admin	$ -	$ -	$ -
Total Fund Transfers	**$ 408,583**	**$ 765,978**	**$ 530,606**
Funds Available for Projects	**$ 15,111,924**	**$ 11,920,234**	**$ 14,254,505**
Project Costs			
Adminstrative Staff	$ -	$ -	$ -
Adminstrative Consultant	$ 54,000	$ 48,000	$ 51,000
Legal	$ 12,000	$ 46,121	$ 13,000
Accounting/ Audit	$ 18,300	$ 24,411	$ 24,700
Program / Project Consulting	$ 12,000	$ 12,355	$ 12,360
Adminstrative Operating Expense	$ 11,500	$ 16,701	$ 16,260
Capital Expenditures	$ 2,800,000	$ 404,723	$ 1,319,255
Developer/ Project reimbursements	$ 4,200,818	$ 1,286,506	$ 3,224,668
Debt Service			
Principal	$ 490,000	$ 490,000	$ 510,000
Interest	$ 504,918	$ 504,919	$ 487,369
Other debt items	$ 275,000	$ -	$ 27,500
Total Project Costs	**$ 8,378,536**	**$ 2,833,736**	**$ 5,686,112**
Total Budget	**$ 8,787,119**	**$ 3,599,714**	**$ 6,216,718**
Resources Less Transfer and Expenses	**$ 6,733,388**	**$ 9,086,498**	**$ 8,568,393**
Planned Ending Fund Balance:			
Restricted Funds - Capital Projects	$ 3,060,645	$ 496,832	$ -
Restricted Funds - Affd. Housing	$ -	$ -	$ -
Restricted Funds - Bond Reserve	$ 1,053,608	$ 1,151,580	$ 1,151,580
Unrestricted Fund Balance	**$ 2,619,135**	**$ 7,438,086**	**$ 7,416,813**

March 2009

2009 - 2013 CAPITAL IMPROVEMENT PLAN
TIRZ No. 20 - SW Houston Redevelopment Authority
CIP by Project

CITY OF HOUSTON - TIRZ PROGRAM
Finance Department
Economic Development Division

Council District	CIP No.	Project	FY Planned Appropriations ($ Thousands)								
			Through 2007	Projected 2008	2009	2010	2011	2012	2013	Total 2009-2013	Culmulative Total (To Date)
F	T-2001	Bellaire Access Management Mobility Improvements	$ 221,047	$ 404,723	$ 1,289,255	$ 12,236,501	$ 3,496,143	$ -	$ -	17,021,899	17,647,669
F	T-2002	Fondren Access Management Mobility Improvements	$ -	$ -	$ 30,000	$ 720,000	$ -	$ -	$ -	750,000	750,000
F	T-2003	Hike and Bike Paths	$ -	$ -	$ -	$ -	$ -	$ -	$ -	-	-
F	T-2004	Bellaire/Mall Entrance	$ -	$ -	$ -	$ -	$ -	$ -	$ -	-	-
F	T-2005	Bellaire Drainage Hwy 59 to Fondren	$ -	$ -	$ -	$ -	$ -	$ 174,000	$ 1,531,000	1,705,000	1,705,000
Totals			221,047	404,723	1,319,255	12,956,501	3,496,143	174,000	1,531,000	19,476,899	20,102,669

2009 - 2013 CAPITAL IMPROVEMENT PLAN
TIRZ No. 20 - SW Houston Redevelopment Authority
CIP by Sources of Funds

CITY OF HOUSTON - TIRZ PROGRAM
Finance Department
Economic Development Division

Source of Funds	FY Planned Appropriations ($ Thousands)								
	Through 2007	Projected 2008	2009	2010	2011	2012	2013	Total 2009-2013	Culmulative Total (To Date)
TIRZ No. 16									
TIRZ funds	-	404,723	-	-	-	-	-	-	404,723
Revenue bond proceeds	221,047	-	1,319,255	12,956,501	3,496,143	174,000	1,531,000	19,476,899	19,697,946
Proceeds from bank loan	-	-	-	-	-	-	-	-	-
Developer Advance/Reimbursement	-	-	-	-	-	-	-	-	-
City of Houston	-	-	-	-	-	-	-	-	-
Grants	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-
Project Total	**221,047**	**404,723**	**1,319,255**	**12,956,501**	**3,496,143**	**174,000**	**1,531,000**	**19,476,899**	**20,102,669**

Project:	**Bellaire Access Management Mobility Improvements**	**City Council District**	**Key Map:** 530G	**WBS.:**	**T-2001**
		Location: F	**Geo. Ref.:**		
		Served: F	**Neighborhood:** 25, 26, 29		

Description: Multiple median closures and modifications on Bellaire from Mary Bates to Beltway 8 and addition of westbound lane. Includes modifications to seven existing signals and installation of one new signal.

Justification: Funding for mobility improvement along Bellaire. One of key mobility improvements identified to rectify mobility limitations along the Bellaire Corridor.

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Culmulative Total (To Date)
Phase										
1 Planning									$ -	$ -
2 Acquisition									$ -	$ -
3 Design	221,047	2,800,000	404,723	1,289,255					$ 1,289,255	$ 1,915,025
4 Construction					12,236,501	3,496,143			$ 15,732,644	$ 15,732,644
5 Equipment									$ -	$ -
6 Close-Out									$ -	$ -
7 Other									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ 221,047	$ 2,800,000	$ 404,723	$ 1,289,255	$ 12,236,501	$ 3,496,143	$ -	$ -	$ 17,021,899	$ 17,647,669
Source of Funds										
TIRZ Increment Revenue		2,800,000	404,723						$ -	$ 404,723
TIRZ Increment Bond Funds	221,047			1,289,255	12,236,501	3,496,143			$ 17,021,899	$ 17,242,946
Grant Funds									$ -	$ -
Total Funds	$ 221,047	$ 2,800,000	$ 404,723	$ 1,289,255	$ 12,236,501	$ 3,496,143	$ -	$ -	$ 17,021,899	$ 17,647,669

Project:	**Fondren Access Management Mobility Improvements**	**City Council District**		**Key Map:**		**WBS.:**	**T-2002**
		Location:	F	**Geo. Ref.:**			
		Served:	F	**Neighborhood:**			

Description: Multiple median closures and modifications on Fondren from Hwy 59 to Westpark. Includes improvements to Clarewood, Harwin and Westpark Intersections.

Justification: Intersection and other improvements to improve mobility along Fondren Blvd.

Operating and Maintenance Costs: ($ Thousands)

	2009	2010	2011	2012	2013	Total
Personnel						$ -
Supplies						$ -
Svcs. & Chgs.						$ -
Capital Outlay						$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Project Expenses thru 6/30/07	2008 Budget	2008 Estimate	2009	2010	2011	2012	2013	FY09 - FY13 Total	Culmulative Total (To Date)
Phase										
1 Planning									$ -	$ -
2 Acquisition									$ -	$ -
3 Design				30,000	720,000				$ 750,000	$ 750,000
4 Construction									$ -	$ -
5 Equipment									$ -	$ -
6 Close-Out									$ -	$ -
7 Other									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
									$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ 30,000	$ 720,000	$ -	$ -	$ -	$ 750,000	$ 750,000
Source of Funds										
TIRZ Increment Revenue									$ -	$ -
TIRZ Increment Bond Funds				30,000	720,000	-	-		$ 750,000	$ 750,000
Grant Funds									$ -	$ -
Total Funds	$ -	$ -	$ -	$ 30,000	$ 720,000	$ -	$ -	$ -	$ 750,000	$ 750,000

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Approval of an ordinance authorizing the issuance of up to $30 million in Authority obligations by the Southwest Houston Redevelopment Authority (TIRZ No. 20).	**Category #**	**Page** 1 of 1	**Agenda Item#** 18A
FROM: (Department or other point of origin): Michelle Mitchell, Director Finance Department	**Origination Date** March 2, 2009		**Agenda Date** MAR 11 2009
DIRECTOR'S SIGNATURE: Michelle Mitchell Finance Department	**Council Districts affected:** F and G		
For additional information contact: Robert Fiederlein **Phone:** (832)393-8091	**Date and identification of prior authorizing Council Action:** Ord. 2002-1076, 11/20/02		

RECOMMENDATION: (Summary)

That City Council approve an ordinance authorizing the issuance of up to $30 million in Authority obligations by the Southwest Houston Redevelopment Authority (TIRZ No. 20).

Amount of Funding: No Funding Required | **Finance Budget:**

SOURCE OF FUNDING: [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)

SPECIFIC EXPLANATION:

To implement its FY2009 City Council-approved budget and capital improvement plan (CIP), the Southwest Houston Redevelopment Authority (the "Authority") will need to shortly obtain financing to fully fund its current year and future year design and construction plans. On November 20, 2002, City Council approved an ordinance authorizing the Authority to issue up to $20 million in Authority obligations. The Authority subsequently issued bonds that as of June 30, 2008, had outstanding principal of $11.39 million and entered into a line of credit for $5 million. To implement its FY 2009 budget and CIP the Authority will need to be able to issue up to $30 million in Authority obligations.

Approval of this ordinance will allow the Authority to issue obligations up to $30 million to provide the capital needed to support its activities with respect to redevelopment in the Zone, which include major road and drainage projects. Among these are road and drainage projects along Bellaire Blvd. and Fondren Blvd.

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Finance Director:	**Other Authorization:**	**Other Authorization:**

Finance 08/29/08

18A

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary **RCA #**

SUBJECT: Ordinance Authorizing Purchase of General Property Insurance	**Category #**	**Page 1 of 2**	**Agenda Item#** 19
FROM: (Department or other point of origin): Alfred J. Moran, Jr., Director Administration & Regulatory Affairs Department	**Origination Date** March 3, 2009		**Agenda Date** MAR 1 1 2009
DIRECTOR'S SIGNATURE:	**Council Districts affected:** All		
For additional information contact: Tina A. Paquet Phone: 713-837-9856	**Date and identification of prior authorizing Council Action:** 3-18-08; Ordinance No. 2008-199		

RECOMMENDATION: (Summary)
Authorize the purchase of a General Property Insurance Policy with the insurance carriers noted below.

Amount of Funding	$10,241,824 Policy Premium $ 222,742 Contingency Premium $10,464,566 Total Proposed Premium
Budget:	

SOURCE OF FUNDING: [ ] **General Fund** [ ] **Grant Fund** [ ] **Enterprise Fund** [X] **Other (Specify)**
Property / Casualty Fund: 1004

SPECIFIC EXPLANATION:
The Administration & Regulatory Affairs Department recommends that Council: (1) approve the proposed general property insurance policies recommended by the City's Insurance Broker of Record, John L. Wortham and Son, L.P. (Wortham); and (2) accept the individual proposals from the insurance carriers listed below that are participating in the layered property insurance program recommended by Wortham.

A Request for Proposal for General Property Insurance was issued and advertised on December 26, 2008 and January 2, 2009 for coverage effective April 1, 2009. Additionally, Wortham solicited proposals from 31 national and international insurance carriers of which 14 submitted proposals.

The recommended funding of $10,464,566 includes premium of $10,241,824 for the policy term and $222,742 as contingent premium for coverage of properties added during the policy year.

No multi-year proposals were received. No individual insurance company submitted a proposal to provide coverage for the City's total property value. Therefore, Wortham structured a multi-layered property insurance policy consisting of a primary layer plus four excess layers. Terms of the proposed policy are:

Term: April 1, 2009 to April 1, 2010
Insurance Carriers: Westchester Fire Insurance Company; Lexington Insurance Company; Continental Casualty Company; Underwriters at Lloyds; RSUI Indemnity Company; Great Lakes Reinsurance (UK) PLC; Swiss Re International SE; Ironshore Insurance, Ltd.; Axis Surplus Insurance Company; Arch Specialty Insurance Company; Essex Insurance Company; Aspen Insurance UK Limited.
Total Premium Cost: $10,464,566 ($10,241,824 Premium + $222,742 Contingency Premium)
Rate: 11.52 cents per $100 of insured property value
Insured Property Value: $8,502,363,395 (Replacement Cost Basis)
Insured Revenue Stream of $386,402,649 (Actual Loss Sustained Basis)
Total Insured Value: $8,888,766,044

Finance Director:	Other Authorization:	Other Authorization:

Date: March 3, 2009

Type of Coverage: All Risk Coverage (excluding terrorism coverage), which includes flood and earthquake for buildings and contents, as well as Business Interruption coverage at scheduled Houston Airport System, Convention & Entertainment Facilities, and General Services Department locations.
Deductibles: $2,500,000 per occurrence, except (1) 5% of values for flood at any location from a named storm, subject to a $5,000,000 minimum and $20,000,000 maximum, and (2) 3% of values for windstorm losses from a named storm, subject to a $2,500,000 minimum and $20,000,000 maximum.
Loss Limits: $150,000,000
Flood Loss Limit: $75,000,000 of which $50,000,000 may apply to Flood Zone A (100-year flood plain).

The proposed coverage is structured to meet insurance requirements being enforced by the Federal Emergency Management Agency (FEMA) for eligibility of federal assistance for damages caused by Tropical Storm Allison and future FEMA requirements for catastrophes such as Hurricane Ike.

The solicitation and analysis of the City's property insurance program details are more fully discussed in the attached memorandum.

Attachment

cc: Anthony Hall, Chief Administrative Officer
Arturo Michel, City Attorney
Marty Stein, Agenda Director

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinance Authorizing Purchase of Terrorism Insurance	**Category #**	**Page 1 of 1**	**Agenda Item#** 20
FROM: (Department or other point of origin): Alfred J. Moran, Jr., Director Administration & Regulatory Affairs Department	**Origination Date** March 3, 2009		**Agenda Date** MAR 1 1 2009
DIRECTOR'S SIGNATURE:	**Council Districts affected:** All		
For additional information contact: Tina A. Paquet Phone: 713-837-9856	**Date and identification of prior authorizing Council Action:** 3-18-08; Ordinance No. 2008-200		

RECOMMENDATION: (Summary)
Approve an Ordinance authorizing purchase of Terrorism Insurance Policy from Lexington Insurance Company

Amount of Funding: $688,083 Policy Premium $ 14,963 Contingency Premium $703,046 Total Proposed Premium ✓	**Budget:**

SOURCE OF FUNDING: [ ] **General Fund** [ ] **Grant Fund** [ ] **Enterprise Fund** [X] **Other (Specify)**
Property / Casualty Fund: 1004

SPECIFIC EXPLANATION:
The Administration & Regulatory Affairs Department recommends that Council: (1) approve the proposed City-wide terrorism insurance policy for all scheduled City of Houston locations; and (2) accept the proposal from Lexington Insurance Company for terrorism coverage, providing a $100 million aggregate loss limit (including a $25 million aggregate sub-limit for biological and chemical coverage), with a $10 million deductible. The recommended funding of $703,046 includes premium of $14,963 as contingent premium for properties added during the policy year. The policy period is April 1, 2009 to April 1, 2010.

A Request for Proposals (RFP) for general property insurance was issued and advertised on December 26, 2008 and January 2, 2009. A proposal for terrorism coverage was presented as an option in the RFP. The City's Insurance Broker of Record, John L. Wortham and Son, L.P., solicited proposals from more than 31 national and international insurance carriers. Only Lexington Insurance Company provided this proposed option for terrorism coverage.

The proposed policy coverage is consistent with the expiring terrorism policy. It includes business interruption coverage for loss of insured revenue stream at scheduled Houston Airport System, Convention & Entertainment Facilities, and General Services Department locations. The current insured value of scheduled facilities, including business interruption, is $8,888,766,044. The proposed annual premium of $703,046 is reflective of the city-wide coverage for all scheduled locations.

The proposed coverage applies to both foreign and domestic terrorist acts as part of an effort to coerce the civilian population of the United States, influence the policy of, or affect the conduct of the United States government by coercion. Terrorism also includes any act, which is verified or recognized by the United States Government as an act of Terrorism.

Attachment

cc: Anthony Hall, Chief Administrative Officer
Arturo Michel, City Attorney
Marty Stein, Agenda Director

Finance Director: Michelle Mitchell	Other Authorization:	Other Authorization:

City of Houston

Administration & Regulatory Affairs

Memorandum

To: Mayor Bill White and Members of City Council

From: Alfred J. Moran, Jr., Director Administration and Regulatory Affairs

Date: March 3, 2009

Subject: **2009 Property/Flood/Terrorism Insurance Renewal**

Introduction

The purpose of this memorandum is to recommend the purchase of property and terrorism insurance, describe the solicitation of proposals and provide details about the City's property insurance program and obligations to purchase this coverage. An optional quote for separate terrorism insurance is included.

The premium comparisons contained in this report (1) exclude contingency amounts contemplated for properties acquired during the policy year and (2) utilize the premium of $8,835,543 for the expiring insurance program which has a $250 million loss limit.

Highlights

- **Recommend purchase of property/flood insurance policy for premium of $10,464,566.**
  1) The availability of commercial property insurance has decreased and the cost has increased based upon:
     a) Catastrophic losses resulting from the property catastrophes of 2008 which would include Hurricane Ike
     b) Increase in the City's total insured values at risk
     c) Insurance carrier's diminished investment portfolio
  2) The portion of the recommended premium for property/flood insurance is $10,241,824. The portion for contingency coverage of properties added during the policy year is $222,742.
  3) The proposed premium of $10,241,824 is a 15.9% increase over the expiring policy premium of $8,835,543; the City's broker's (John L. Wortham) forecasted up to a 25% premium increase based upon current insurance market conditions.
  4) Rate is a unit of cost. The $10,241,824 proposed premium is calculated by multiplying the rate of 11.52 cents per $100 of insured property value by the City's total insured property value of $8.89 billion. The 11.52 rate is a 5% increase over the expiring policy rate of 10.98 cents.
  5) The policy premium and rate increased due to an increase in the insured value of the City's property and the increased property rate resulting from the Hurricane Ike catastrophe.
  6) Insured values (property + insured revenue stream) increased by 10%, from $8.05 billion last year to $8.89 billion. This amount includes the value of properties affected by the City's regulatory obligations to insure $6.61 billion.
  7) The proposed premium includes a policy loss limit of $150 million; this is a $100 million decrease over the expiring policy loss limit. The $150 million limit is the maximum proposed by insurers.

- **Recommend purchase of terrorism coverage through a separate policy for a premium of $703,046. This amount includes contingent premium of $14,963 for coverage of properties added during the policy year. This item is submitted to City Council for separate action.**

Background

The City's Insurance Broker of Record, John L. Wortham and Son, L.P. (Wortham), is assigned the task of arranging and recommending renewal of the City's property insurance program.

A Request for Proposal was issued and published in the Houston Business Journal on December 26, 2008 and January 2, 2009. The City's current policy expires on April 1, 2009.

Wortham structured a multi-layered loss limit property insurance program proposed by fourteen participating insurance carriers to insure the City's $8.89 billion total insured property value. A layered program is common for entities with large property values and allows each insurer to minimize their exposure to risk by dividing coverage among more than one insurer. The structure of the proposed multi-layered program is consistent with the expiring program. The layered insurance program has been the only property insurance option available to the City for the past twelve years. The proposed program consists of one primary layer, plus four excess layers.

Current Market Conditions

The 2008 Hurricane season is the third most costly on record, behind only the 2004 and 2005 seasons, with over $41 billion in damage. Hurricane Ike, which made landfall near Galveston, Texas and affected Houston, was the most destructive storm of the season. The resulting catastrophic property losses have triggered a "hardening market" insurance industry fluctuation. Under this market condition, the availability of carriers is reduced and the cost of insurance is increased.

Business Insurance, an insurance industry leading publication, reports a hardening in the insurance market will begin in 2009. At a recent seminar, insurance industry executives forecast 6% to 7% policy rate increases for property and casualty insurance markets. The 5% increased property rate proposed is lower than insurance industry standards.

Current Coverage

The key factors that define a property insurance program are (a) insured value of covered property, (b) annual per occurrence loss limits, (c) type of coverage, (d) deductibles, and (e) premium rates. The City's current policy includes all real property owned and facilities leased by the City and insured revenue stream, which totaled $8.05 billion when the current policy was purchased.

The City's current property insurance policy has an annual term. It is a layered program with sixteen participating insurance carriers and an annual premium of $9,049,652. An additional premium of $214,149 is included as a contingency for properties added during the policy year. The premium rate for combined property and flood coverage is 10.98 cents per $100 of insured property value. Coverage is provided in one primary and five excess layers. The policy has a $2.5 million deductible per occurrence for all perils except (1) flood, which has a deductible of 5% of

the value of the affected property, subject to a $5 million minimum and $20 million maximum and (2) wind, which has a deductible of 3% of the value of the affected property, subject to a $2.5 million minimum and $20 million maximum. The policy per occurrence loss limit is $250 million, of which $75 million per occurrence and in the aggregate is flood-related.

Flood coverage for $2.2 billion in insured property value is provided for designated properties located in Flood Zone A (the 100-year flood plain). The applicable loss limit is $50 million in the aggregate per policy period.

The Houston Airport System and Convention Entertainment Facilities Department have business interruption coverage to continue their revenues in the event of insured damages to their scheduled properties. Additional coverage is provided for the General Services Department City Hall Annex parking revenue.

Proposed Coverage

Wortham requested proposals from 31 national and international insurance carriers to participate in the City's property insurance program with approximately the same conditions as exist in the current policy. Wortham received proposals by the submission due date that met the minimum policy specifications ($150 million loss limit per occurrence, including flood coverage). The proposed $150 million loss limit represents 1.69% of the City's insured property value. This is the maximum limit offered by the proposers.

Coverage contingency extends to properties added during the policy year. The proposed policy term is one year, from April 1, 2009 to 2010. No multi-year policy quotes were submitted.

The City's insured value base is now at $8.89 billion, an increase of approximately $743 million (10%) from last year. The largest single concentration of property is the Bush Intercontinental Airport, with approximately $1.88 billion in insured value. Building structures in the downtown area are the second biggest concentration with $1.25 billion in value; included are City Hall/City Hall Annex, Bob Lanier PW&E Building, Central Library/Julia Ideson Library, Heritage Society Historical Structures, Police Administration Building, City parking garages, Gus S. Wortham Theater Center, Jesse H. Jones Hall and George R. Brown Convention Center. The 69th Street Wastewater treatment plant, at $485 million is the third largest concentration.

Business interruption coverage continues to be provided for the Houston Airport System and Convention and Entertainment Facilities Department; as well as for the General Services Department City Hall Annex parking.

The primary insurer, Westchester Fire Insurance Company (Westchester), provides the first layer of $5 million in coverage. Westchester will be designated as the "lead" carrier and will be responsible for administering all terms and conditions of the insurance program.

The recommended policy includes the following per occurrence deductibles that apply based upon the differing perils involved in each loss. They are the same as provided by our current policy:

- $2.5 million per occurrence for all losses except,
- Flood: 5% of values at affected locations; subject to a $5 million minimum and $20 million maximum deductible

- Wind: 3% of values at affected locations included in windstorm loss from a named storm, subject to a $2.5 minimum and a $20 million maximum deductible

Flood

The proposed policy provides an annual aggregate loss limit of $75 million of which $50 million is applicable to properties located in the 100-year flood plain (Flood Zone A). This is the same loss limit as provided by the current policy. The value of properties located in Flood Zone A is $2.15 billion. Commercial flood insurance is required to comply with Federal Emergency Management Association (FEMA) regulations.

Insurance Obligations

Self-insurance is not a viable option due to the large insured value of City properties under commercial property insurance requirements for revenue bond covenants and FEMA regulations. This requirement obligates the City to insure $6.61 billion of the City's $8.89 billion insured property value. This obligation does not affect the remaining portion of the City's $2.28 billion property risk exposure; which includes $21.9 million in annual revenue produced by the Convention and Entertainment Facilities Department and $364.1 million in annual revenue produced by the Houston Airport System.

Policy Rate

The recommended premium rate has increased. The proposed policy rate of 11.52 cents is a 5% increase from the expiring policy rate of 10.98 cents.

Insurance premiums are generally shared among the City's funds. The approximate allocations for the proposed policy are Water and Wastewater 42.20%, Houston Airport System 28.29%, Convention & Entertainment Facilities 9.22%, General Fund 19%, and Other Funds 1.25%.

The annual budget for insurance premiums for all departments is established in the Property and Casualty Fund 1004, a "revolving fund". Revolving Funds, by definition, are billed out to operating funds and have no beginning or ending balances, other than through timing differences.

Terrorism Coverage

A separate terrorism insurance policy has been proposed and is submitted to City Council for separate consideration. The proposed policy premium is $703,046, an amount that includes contingent premium of $14,963 for coverage of locations added during the policy year. The policy provides an aggregate loss limit of $100 million and a $10 million per occurrence deductible.

The recommended terrorism policy will extend coverage to the City's total insured property value of $8.89 billion. It will also include citywide coverage for biological and chemical terrorism, including business interruption for scheduled locations in the Houston Airport System, Convention and Entertainment Facilities and General Services Departments at an aggregate sub-limit of $25 million.

Recommendation

The Administration & Regulatory Affairs Department and the Property Insurance Committee consisting of department representatives from Public Works & Engineering, Convention & Entertainment Facilities and the Houston Airport System recommend that the City accept the proposed property insurance program. Wortham, our insurance broker, agrees with this recommendation. Acceptance of a separate terrorism insurance policy providing broad terrorism coverage (separate Request for Council Action) is also recommended.

If you have any questions, please call Tina A. Paquet at (713) 837-9856.

Alfred J. Moran, Jr., Director

AJM:TAP:MDH

cc: Anthony Hall, Chief Administrative Officer
Arturo Michel, City Attorney
Marty Stein, Agenda Director
Michelle Mitchell, Finance Director
Michael Marcotte, Public Works & Engineering Director
Richard Vacar, Director, Houston Airport Systems Director
Dawn Ullrich, Convention & Entertainment Facilities Director
Issa Dadoush, General Services Director

TO: **Mayor via City Secretary** **REQUEST FOR COUNCIL ACTION**

SUBJECT: That Council approve and authorize an ordinance approving supplement allocation of funds in the amount of $100,000.00 out of the Combined Utility System General Purpose Fund No. 8305 as an additional appropriation to a professional legal services contract between the City of Houston and Andrews & Kurth, L.L.P.	**Category #** 1	**Page** 1 **of** 1	**Agenda Item #** 21
FROM (Department or other point of origin): Legal Department	**Origination Date** 3/9/09	**Agenda Date** MAR 11 2009	
DIRECTOR'S SIGNATURE: NO	**Council District affected:**	E	
For additional information contact: Denise Miller	**Date and identification of prior authorizing Council action:** Ordinance No. 2005-806; Dated: June 22, 2005		

RECOMMENDATION: (Summary)

That Council approve and authorize an ordinance approving supplement allocation of funds in the amount of $100,000.00 out of the Combined Utility System General Purpose Fund No. 8305 as an additional appropriation to a professional legal services contract between the City of Houston and Andrews & Kurth, L.L.P.

AMOUNT AND SOURCE OF FUNDING: $100,000.00 from the Combined Utility SystemGeneral Purpose Fund No. 8305 Previous funding $300,000.00 from the Water and Sewer System Operation Fund	**Budget:**

SPECIFIC EXPLANATION:

The City of Houston ("Houston") has been sued by Trail Enterprises, Inc., and others (collectively "Trail") who claim that Section 23-102 of Houston's Code of Ordinances, which restricts the drilling of oil and natural gas wells in certain areas near Lake Houston, has resulted in a taking of their mineral interests under a tract of land located near the lake.

The trial court dismissed their claims as unripe because none of the Plaintiffs ever applied for a drilling permit. However, the 10th Court of Appeals in Waco reversed, and rendered judgment that Plaintiffs recover from the City $16,849,099.37, plus interest. The City appealed that Order to the Texas Supreme Court, which has ordered briefing on the merits of the appeal.

Andrews & Kurth, L.L.P. has been representing the City in this matter. However, the funds previously allocated to this contract are nearly exhausted. Therefore, the Legal Department requests that Council approve and authorize an ordinance for the sum of $100,000.00 out of the Combined Utility System General Purpose Fund No. 8305 as an supplemental allocation to a professional legal services contract between the City of Houston and Andrews & Kurth, L.L.P.

REQUIRED AUTHORIZATION NDT

Finance Director:	**Other Authorization:**	**Other Authorization:**

Michael Marcotte, Director of PW&E

F&A 011.A REV. 3/94
7530-0100403-00

TO: **Mayor via City Secretary** **REQUEST FOR COUNCIL ACTION**

SUBJECT: Appropriate funds for Keith-Wiess Park as authorized in the Interlocal Agreement with Harris County Flood Control District WBS F-504A06-0001-4	**Page** 1 of 1	**Agenda Item** 22
FROM (Department or other point of origin): Houston Parks and Recreation Department	**Origination Date** 3-5-09	**Agenda Date** MAR 1 1 2009
DIRECTOR'S SIGNATURE: Joe Turner *Joe Turner*	**Council District affected:** B	
For additional information contact: Dan Pederson **Phone:** 713-865-4507 Karen Cullar 713-865-9344	**Date and identification of prior authorizing Council action:** Ordinance No: 2005-1033; September 7, 2005	

RECOMMENDATION: Appropriate funds for the project

Amount and Source of Funding: **$ 600,000.00** Parks Consolidated Construction Fund (4502)	**Finance Budget:**

SPECIFIC EXPLANATION:

In 2004, the City of Houston and Harris County held a Chapter 26 hearing for the use of Keith-Wiess Park as a stormwater detention basin for Harris County Flood Control District. Harris County received a 2 million dollar Regional Grant from Texas Parks and Wildlife Department for improvements to the Halls Bayou Greenway, which includes Keith-Wiess Park.

City Council approved an Interlocal Agreement with HCFCD for the development of the park and maintenance of the basins. The City agreed to contribute $600,000 toward the development costs. The improvements have been completed therefore HPARD recommends that City Council appropriate $600,000 to reimburse HCFCD for the project.

PROJECT LOCATION: 12300 Aldine-Westfield (413M)

PROJECT DESCRIPTION:
The project included 1.25 miles of trail, a 130' bridge over Halls Bayou, a 110' bridge over the southern channel to connect with the Halls Bayou trail system, three soccer fields, a playground, boardwalks, fishing pier, interpretive signs, benches and tree plantings. These recreational components were a part of a multi-million dollar stormwater detention project, which also provided service roads, wetlands and fishing ponds.

Cc: Marty Stein, Issa Dadoush, Mark Ross, Jacquelyn Nisby, Webb Mitchell, Lisa Johnson

REQUIRED AUTHORIZATION

REQUEST FOR COUNCIL ACTION

To: Mayor via City Secretary			
Subject: Operation and Maintenance Agreement with The Greater Houston Cycling Foundation for the Alkek Velodrome	Category #	Page 1 of 1	Agenda Item 23
FROM (Department or other point of origin): Houston Parks and Recreation Department	**Origination Date:** March 6, 2009	**Agenda Date** MAR 1 1 2009	
DIRECTOR'S SIGNATURE: Joe Turner, Director	**Council District(s) affected: All**		
For additional information contact: Doug Earle, 713-865-4519 Dan Pederson, 713-865-4507	**Date and Identification of prior authorizing Council Action:**		

RECOMMENDATION: (Summary):

Adopt ordinance approving an Operation and Maintenance Agreement between the City of Houston and the Greater Houston Cycling Foundation, a 501 (c) (3) corporation.

Amount of Funding:	**No Funding Required**	**F&A Budget:**

SPECIFIC EXPLANATION:

The Alkek Velodrome was built in 1986 for the purpose of hosting the Track Cycling competition for The United States Olympic Sports Festival. HPARD has been operating the facility with track cycling programs since the Fall of 1986.

During the late 1980's HPARD administration placed an emphasis on producing highly competitive athletes in selected sports. However, over the past two decades HPARD's focus has evolved to provide greater emphasis on traditional recreational sports that will reach as many youth as possible.

HPARD has continued operating the track cycling programs and maintaining the facility but believes these programs would have more growth potential if they were operated by a group whose main objective is the sport of track cycling. As a result, the Alkek participants and volunteers have established a non-profit corporation, the Greater Houston Cycling Foundation (GHCF), which could operate and maintain the facility.

Under the proposed contact with GHCF, the City of Houston will retain ownership of the current facility and any added capital improvements during the contract period. GHCF will be responsible for providing track cycling programs for youth and adults, capital improvements, facility and equipment maintenance and event hosting. The contact term is for twenty (20) years (until 2028) with automatic annual renewals dependent upon a yearly review by both parties. Either party may terminate this contract with a 120-day notice.

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8157

Subject: Approve and Authorize a Contract Extension, and Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract #C52176 for Computer Hardware, Software Licenses, Mainframe and Prof. Svcs. for Various Depts./TC13097-A8	Category # 4 & 5	Page 1 of 2	Agenda Item 24

FROM (Department or other point of origin):	**Origination Date**	**Agenda Date**
Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	February 11, 2009	MAR 1 1 2009
DIRECTOR'S SIGNATURE for Kevin M. Coleman	**Council District(s) affected** All	
For additional information contact: Joseph Fenninger 2/26/09 **Phone:** (713) 308-1708 Douglas Moore **Phone:** (832) 393-8724	**Date and Identification of prior authorizing Council Action:** CM 2000-1147, 12/20/00; Addtl CM's below	

RECOMMENDATION: (Summary)

Approve and authorize the five-year option to extend the contract term from July 1, 2010 to June 30, 2015, and approve an amending ordinance to increase the maximum contract amount from $8,800,907.24 to $11,122,880.24 for the contract between the City of Houston and Unisys Corporation for computer hardware, software licenses, mainframe and professional services for various departments.

Maximum Contract Amount Increased by: $2,321,973.00	**Finance Budget**
$2,321,973.00 - General Fund (1000)	

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve and authorize the five-year option to extend the contract term from July 1, 2010 to June 20, 2015, and approve an amending ordinance to increase the maximum contract amount from $8,800,907.24 to $11,122,880.24 for the contract between the City of Houston and Unisys Corporation (Unisys). The City Purchasing Agent may terminate this contract at any time upon 30-day written notice to the contractor.

The extension of the contract will include the continued leasing of a Dorado 320 system from Unisys that is HPD's main system for Online Offense reports and other day-to-day operations. Also included are 1) maintenance of a Disaster Recovery disk system, 2) maintenance of data switches and communication lines for replication of data, 3) other miscellaneous software maintenance. The contract also includes a small component for maintenance of software for the Houston Parks and Recreation Department.

Over the last several years the administration has begun the move away from the Unisys system toward a new data management system. HPD is pleased that it is nearing an end to the process of procuring a new system, but notes that the complete migration to that system will take up to 3 years. Until the new system is up and fully functional, HPD must maintain and operate the current Unisys system, which would be accomplished by this contract extension.

This Council action will fund the contract through the end of 2012. If necessary, the department will return to Council before that time to request additional funding.

The Unisys Master Agreement and its associated supplemental schedule were awarded on December 20, 2000 by Ordinance No. 2000-1147 for a five-year term, with five one-year options to renew, in the original contract amount of $4,618,319.00. Subsequent amendments were approved on January 30, 2002 by Council Motion 2002-0140 to increase the maximum contract amount from $4,618,319.00 to $4,756,488.95; on August, 7, 2002 by Ordinance No. 2002-0754 to increase the maximum contract amount from $4,756,488.95 to $4,878,068.95; on August 14, 2002 by Council Motion 2002-0971 to increase the maximum contract amount from $4,878,068.95 to $5,093,273.47; on July 30, 2003 by Council Motion 2003-0951 to increase the maximum contract amount from $5,093,273.47 to $5,360,357.47; on October 13, 2004 by Council Motion

REQUIRED AUTHORIZATION 10 CDW 8157 C

Finance Department:	Other Authorization: 2/26/09	Other Authorization:

2004-1076 to increase the maximum contract amount from $5,360,357.47 to $5,645,904.47, on November 9, 2005 by Council Motion 2005-1078 to increase the maximum contract amount from $5,645,904.47 to $8,546,609.24; and on November 29, 2006 by Council Motion 2006-1068 to increase the maximum contract amount from $8,546,609.24 to $8,800,907.24. Additionally, Council Motion 2006-1068 allowed the Houston Police Department (HPD) to lease a Unisys ClearPath Dorado 320 to replace a system that had reached the end of its product support life. The ClearPath Dorado 320 provided the required technology to support HPD's present operation of the Online Offense (OLO) system, and ensured the level of reliability and availability needed to prepare for the new Records Management System (RMS) that will replace current HPD technology in FY2011.

The hardware and software provided by Unisys are proprietary components. This contract was awarded with a 17% M/WBE participation goal for post-warranty hardware maintenance. Unisys is currently achieving a 3.32% M/WBE Goal. The Affirmative Action Division will continue to work with the contractor to achieve the required goal.

Buyer: Conley Jackson

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7996

Subject: Approve an Ordinance Awarding a Contract to the Best Value Respondent for Wood Waste Removal Services for the Solid Waste Management Department S30-T22947	Category # 4	Page 1 of 2	Agenda Item 25

FROM (Department or other point of origin): Calvin D. Wells, City Purchasing Agent, Administration & Regulatory Affairs Department	**Origination Date** December 01, 2008	**Agenda Date** MAR 11 2009
DIRECTOR'S SIGNATURE	**Council District(s) affected** All	
For additional information contact: Harry Hayes **Phone:** (713) 837-9103; Ray DuRousseau **Phone:** (832) 393-8726	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to the best value respondent, Angelina Fuels, LLC in an amount not to exceed $770,000.00 for wood waste removal services for the Solid Waste Management Department.

Maximum Contract Amount: $770,000.00	**Finance Budget**
$770,000.00 General Fund (1000)	

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to Angelina Fuels, LLC in an amount not to exceed $770,000.00 for wood waste removal services for the Solid Waste Management Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. Under this contract, the contractor shall be responsible for a establishing clean wood waste collection site in the City's Southeast quadrant to deliver "clean wood waste" materials (consisting of tree limbs, branches, stumps, and other organic materials generated from routine grounds maintenance) for the City of Houston.

The scope of work requires the contractor to provide all supervision, labor, materials, equipment and transportation necessary to provide wood waste removal services. The contractor will be required to grind and compost the "clean wood waste" material at its collection site. The contractor will also ensure that the composed materials and wood chips are marketed and distributed, and that no "clean wood waste" material is disposed of in a landfill. Title to, and all risks and responsibilities of ownership of the "clean wood waste" materials delivered by the City to the contractor's collection site shall be transferred to, and vested in the contractor at the time the "clean wood waste" is fully unloaded at the designated "collection site", and the City's vehicle has departed the "collection site".

This "Best Value" invitation to bid was advertised in accordance with the State of Texas bid laws and, as a result, offers were received from the following firms: Angelina Fuels, LLC, Prime Trees & Landscaping Services, Inc., and Novus Wood Group, LP. The evaluation committee consisted of personnel from the Solid Waste Management Department. The offers were evaluated based upon the following criteria:

A. Hauling Distance from City of Houston Service Center to the Collection Site
B. Professional Background and Experience
C. Bidder's Financial Stability and Proposed Fees
D. Level of commitment and willingness to agree to the City's legal requirements
E. M/WBE Participation

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

Angelina Fuels, LLC received highest score of all respondents.

M/WBE Subcontracting:

This invitation to bid was issued as a goal-oriented contract with an 11% M/WBE participation level. **Angelina Fuels, LLC** has designated the below-named companies as its certified M/WBE subcontractors.

Name	Type of Work	Dollar Amount	Percentage
Rapid Waste, LLC	Hauling	$ 7,700.00	1%
B-W Industrial Supply Corporation	Petroleum	$30,800.00	4%
Gatson Concrete Construction	Concrete	$30,800.00	4%
M.L.G. Construction	Carpentry	$15,400.00	2%
		Total:	**11%**

The Affirmative Action Division will monitor this contract.

ESTIMATED SPENDING AUTHORITY			
Department	FY09	Out Years	Total
Solid Waste Management	$104,000.00	$666,000.00	$770,000.00

Buyer: Richard Morris

TO: **Mayor via City Secretary** **REQUEST FOR COUNCIL ACTION**

SUBJECT: Additional Appropriation to the Agreement between the City of Houston (City) and Texas Department of Transportation (TxDOT) for U.S. 59 from Northpark Drive to Harris County Line; WBS Nos. S-000521-0020-4 & R-000521-0020-4.	**Page** 1 of 2	**Agenda Item** # 26

FROM (Department or other point of origin): Department of Public Works and Engineering	**Origination Date** 3/4/09	**Agenda Date** MAR 11 2009
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., D.WRE, BCEE, Director	**Council District affected:** E	
For additional information contact: Reid K. Mrsny, P.E. Senior Assistant Director **Phone:** (713) 837-0452	**Date and identification of prior authorizing Council action:** Ordinance: 2004-1029, 10/06/2004	

RECOMMENDATION: (Summary)
Adopt an ordinance approving an additional appropriation to TxDOT for the City's cost participation and appropriating funds.

Amount and Source of Funding: $245,600.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

02/10/09

Previous (original) funding of $1,092,092.00 from Water and Sewer System Consolidated Construction Fund No. 755.

PROJECT NOTICE/JUSTIFICATION: This project is a Category 2, 2004 Interstate Rehabilitation Project under direction of the Texas Department of Transportation. This project was authorized by the State under Commission Minute Order Numbers 109335 and 109460.

DESCRIPTION/SCOPE: This project will widen U.S. 59 from Northpark Drive to the Harris County line from a four (4) lane freeway to an eight (8) lane freeway. The work includes concrete curb and gutter roadways, drainage, freeway lighting, and underground utility relocations for the City of Houston.

LOCATION: The project area is generally bounded by Northpark Drive on the north, by southbound U.S. 59 Service Road on the west, Harris County Line on the south and by northbound US59 Service Road on the east. This project is located in Key Map Grids 296 S, W and 335 D.

SCOPE OF THIS AGREEMENT: The City of Houston entered into an Advance Funding Agreement with TxDOT for this project under Ordinance No. 2004-1029 on October 6, 2004. This Agreement provided for the relocation of approximately 13,605 linear feet of 12-inch (12") water line with related appurtenances and 772 linear feet of six-inch (6") sanitary sewer line into the project at the request of the City of Houston. The City is responsible for 100% of the cost associated with the construction and relocation of the water line and sanitary sewer facilities within the limits of the proposed project improvements.

The City previously made initial payment to TxDOT in the amount of $999,148.00 out of the previous appropriated amount of $1,045,620.00 for this project. Funds remained from the previous appropriation in the amount of $46,472.00. Upon the completion of this project, the City's total share for the construction cost incurred by TxDOT was $1,279,448.82. TxDOT is

REQUIRED AUTHORIZATION **CUIC ID # 20TAA30**

Finance Department:	**Other Authorization:** Jun Chang, P.E., Interim Deputy Director Public Utilities Division	**Other Authorization:** Daniel R. Menendez, P.E. Deputy Director Engineering and Construction Division

currently requesting payment for the remaining in the amount of $280,300.82. Therefore, it is necessary to appropriate additional funds in the amount of $245,600.00 which includes $11,771.18 for City's salary recovery.

ACTION RECOMMENDED: It is recommended that the City Council adopt an ordinance approving an additional appropriation in the amount of $245,600.00 for the City's cost participation.

MSM:DRM:RKM:TAA:kdt

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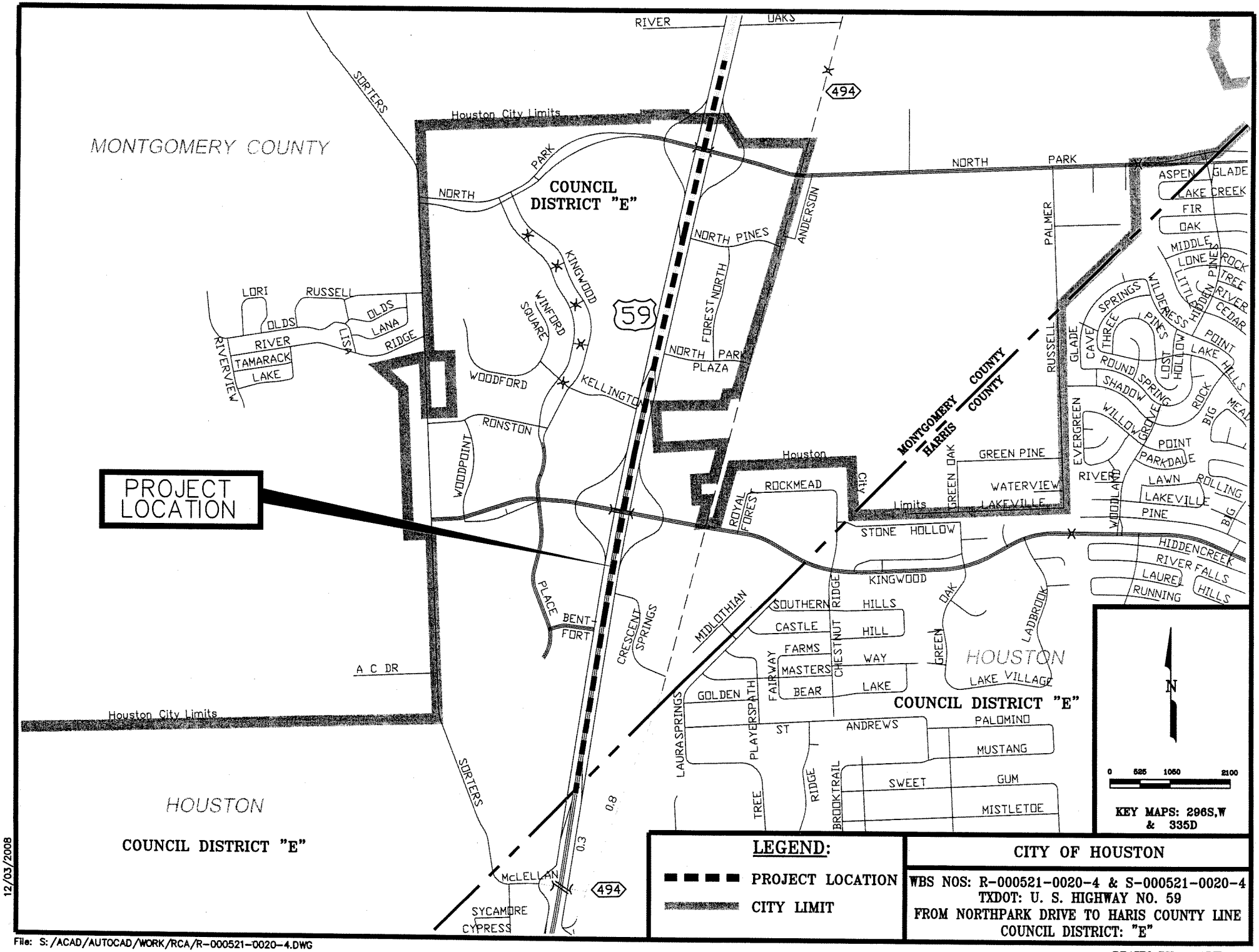
C: Marty Stein
Susan Bandy
Velma Laws
Craig Foster
File – TxDOT - U.S. 59 from Northpark Drive to Harris County Line.


MONTGOMERY COUNTY
PROJECT LOCATION
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HOUSTON
COUNCIL DISTRICT "E"
HOUSTON
COUNCIL DISTRICT "E"
Houston City Limits
Houston City Limits
Houston City Limits
MONTGOMERY COUNTY
HARRIS COUNTY
RIVER OAKS
SORTERS
494
NORTH PARK
NORTH PARK
NORTH PINES
NORTH PARK PLAZA
FOREST NORTH
KINGWOOD
WINFORD SQUARE
WOODFORD
KELLINGTON
RONSTON
WOODPOINT
PLACE
BENT FORT
CRESCENT SPRINGS
MIDLOTHIAN
A C DR
McLELLAN
SYCAMORE
CYPRESS
59
ANDERSON
PALMER
RUSSELL
GLADE
EVERGREEN
GREEN OAK
GREEN PINE
WATERVIEW
LAKEVILLE
ROCKMEAD
ROYAL FORES
STONE HOLLOW
KINGWOOD
SOUTHERN HILLS
CASTLE HILL
FARMS WAY
MASTERS LAKE
BEAR
GOLDEN
ST ANDREWS
PALOMINO
MUSTANG
SWEET GUM
MISTLETOE
LAURASPRINGS
PLAYERSPATH
FAIRWAY
CHESTNUT RIDGE
TREE RIDGE
BROOKTRAIL
LADBROOK
GREEN OAK
LAKE VILLAGE
ASPEN GLADE
LAKE CREEK
FIR
OAK
MIDDLE
LONE ROCK
TREE
RIVER
CEDAR
LITTLE HIDDEN PINE
WILDERNESS PINES
SPRINGS
THREE
CAVE
LOST HOLLOW
POINT
LAKE HILLS
ROUND SPRING
SHADOW
ROCK
BIG MEAD
WILLOW GROVE
POINT
PARKDALE
RIVER
LAWN
ROLLING
LAKEVILLE
PINE
BIG
WOODLAND
HIDDENCREEK
RIVER FALLS
LAUREL
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RIVERVIEW
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0 525 1050 2100
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KEY MAPS: 296S,W & 335D
LEGEND:
PROJECT LOCATION
CITY LIMIT
CITY OF HOUSTON
WBS NOS: R-000521-0020-4 & S-000521-0020-4
TXDOT: U. S. HIGHWAY NO. 59
FROM NORTHPARK DRIVE TO HARIS COUNTY LINE
COUNCIL DISTRICT: "E"
DRAWN BY: ADW
12/03/2008
File: S:/ACAD/AUTOCAD/WORK/RCA/R-000521-0020-4.DWG

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for the Relocation and Adjustment to the Waterline along Beltway 8 from the West of Greenspoint Drive to West Hardy Road; WBS No. S-000521-0036-4.	**Page** 1 of 2	**Agenda Item** # 27

FROM (Department or other point of origin): Department of Public Works and Engineering	**Origination Date** 3-6-09	**Agenda Date** MAR 1 1 2009
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., D.WRE, BCEE, Director	**Council District affected:** B	
For additional information contact: Reid K. Mrsny, P.E. Senior Assistant Director **Phone:** (713) 837-0452	**Date and identification of prior authorizing Council action:** N/A	

RECOMMENDATION: (Summary)
Adopt an ordinance approving and authorizing the Advance Funding Agreement between the City of Houston and Texas Department of Transportation and appropriating funds.

Amount and Source of Funding:
$312,500.00 from Water and Sewer System Consolidated Construction Fund No. 8500. 03/02/09

PROJECT NOTICE/JUSTIFICATION: This project was authorized by the State under Commission Minute Order Number 109460 which awarded funding for Projects in the 2004 Statewide Mobility Program described as TSM Improvements (Continuous Right Turn Lanes).

DESCRIPTION/SCOPE: This project will widen Beltway 8 frontage road from the west of Greenspoint Drive to West Hardy Road. The work includes grading, roadway paving, storm sewer, signing, traffic signals, landscaping and utility relocations.

LOCATION: The project is located along Beltway 8 frontage road from the west of Greenspoint Drive to West Hardy Road. It is located in Key Map Grids Nos. 372V and 373 S & T.

SCOPE OF THIS AGREEMENT: The City and TxDOT agree to include the relocation and adjustments of the local municipal waterline in conflict with the project in the State's construction contract. Under the terms of this Advance Funding Agreement, TxDOT shall manage the design and construction of the overall project including the relocation of the municipal utility. The City shall participate in the arrangement and coordination with TxDOT for the maintenance and the relocation of the waterline during the construction. The City shall advance to TxDOT one hundred percent (100%) of the estimated City's share in the amount of $248,010.94. The City will be responsible for 100% authorized cost and any overruns associated with the relocation and adjustments of the waterline within the project limit. Therefore, it is necessary to appropriate funds in the amount of $312,500.00 which includes $49,609.06 for contingency and $14,880.00 for City's salary recovery.

REQUIRED AUTHORIZATION **CUIC ID # 20TAA31**

Finance Department:	**Other Authorization:** Jun Chang, P.E., Interim Deputy Director Public Utilities Division	**Other Authorization:** Daniel R. Menendez, P.E. Deputy Director Engineering and Construction Division

Date	SUBJECT: Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for the Relocation and Adjustment to the Waterline along Beltway 8 from the West of Greenspoint Drive to West Hardy Road; WBS No. S-000521-0036-4.	Originator's Initials TAA	Page 2 of 2

ACTION RECOMMENDED: It is recommended that the City Council adopt an ordinance approving and authorizing the Advance Funding Agreement between the City of Houston and Texas Department of Transportation and appropriate $312,500.00 for the City's cost participation.

MSM:DRM:RKM:TAA:kdt
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C: Marty Stein
Susan Bandy
Velma Laws
Craig Foster
File – TxDOT – Beltway 8 from West of Greenspoint Dr. to West Hardy Road.

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION** R

SUBJECT: Amendment to the Restatement of Contract for Professional Engineering Services between the City and Wilbur Smith Associates, Inc. for Herman Brown Park Trail Phase II WBS No. N-000420-015A-3, TxDOT CSJ 0912-71-591	**Page 1 of 2**	**Agenda Item #** 28
From: (Department or Other Point of Origin) Department of Public Works and Engineering	**Origination Date** 2-26-09	**Agenda Date**
Director's Signature: 22609 Michael S. Marcotte, P.E., D.WRE, BCEE	**Council District affected:** I	MAR 11 2009
For additional information contact: Reid K. Mrsny, P.E. **Phone:** (713) 837-0452 Senior Assistant Director	**Date and identification of prior authorizing Council action:** Ordinance # 2001-922 Dated: 10/03/01 Ordinance # 95-1388 Dated: 12/20/95 Ordinance # 94-1095 Dated 10/12/94 Ordinance # 93-1355 Dated: 10/27/93 Ordinance # 92-1171 Dated: 09/02/92	

Recommendation:
Approve an Ordinance amending the Restatement of Contract for Professional Services between the City and Wilbur Smith Associates, Inc. and appropriating additional funds.

Amount and Source of Funding: $17,600.00 from the Street and Bridge Consolidated Construction Fund No. 4506. (Previous Appropriations Amounting to $8,639,500 from the Street and Bridge Consolidated Construction Fund No. 437.) 02/26/09

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project is part of the Houston Bikeway Program. It consists of design and construction of Herman Brown Park Trail Phase II. This amendment will add a task to the Additional Services to update the Categorical Exclusion (CE) Report that expired during a delay in the project caused by easement acquisition and flood plain mitigation. The CE Report determines the environmental impact of the project and is a requirement of Federal Enhancement Funds, which are used on this project. The Texas Department of Transportation (TxDOT) administers the funds, which are split 80% federal and 20% local match. The City is the sponsor of this project and is responsible for the local match. TxDOT ensures compliance with requirements of the funding and is currently performing a final review of the plans before the project is bid for construction.

DESCRIPTION/SCOPE: This project consists of design and construction of approximately 1.98 miles of a 10 feet wide reinforced concrete/asphalt trail, 380 feet long bike/pedestrian bridge, approaches to the bridge, retaining walls, and associated hydraulic structures. Under the scope of this amendment and appropriation, the consultant will perform Additional Services to update the Categorical Exclusion Environmental Report.

LOCATION: The project is generally bound by Woodforest Blvd. on the north, I-10 East on the south, Maxey Road on the east, and Oates Road on the west. Key Map grids: 496 A, B, C, F, G.

PREVIOUS HISTORY AND SCOPE: In September 1992 City Council approved a contract for the development of a Comprehensive Bikeway Plan. Wilbur Smith Associates (WSA) was the Program Manager for the entire Houston Bikeway Program that included eighteen (18) projects, and WSA is the design consultant for this project.

REQUIRED AUTHORIZATION **CUIC ID #20BB156A** NOT

Finance Department:	**Other Authorization:**	**Other Authorization:** Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

28

The total cost of this amendment is $17,600.00 to be appropriated as follows; $15,978.00 for the Additional Services and $1,622.00 for Project Management.

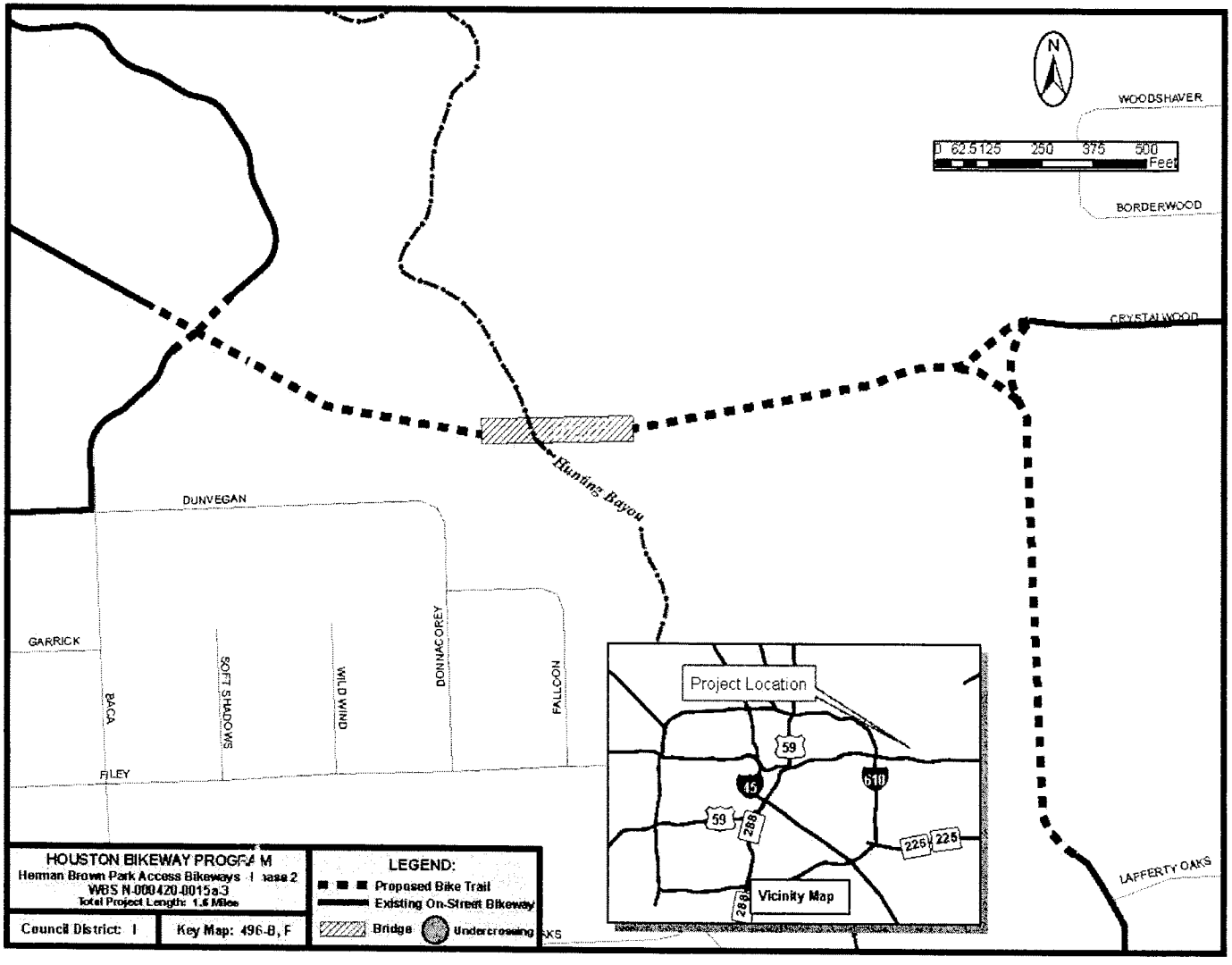
M/WBE INFORMATION: The MWBE goal for this contract was set at 15%. The original contract and subsequent additional appropriations total $8,347,000.00. The Consultant has been paid $8,312,665.00 (99.59%) to date. Of this amount, $1,738,029.38 (20.91%) has been paid to M/WBE sub-consultants to date. Assuming approval of this additional appropriation, the contract amount will increase to $8,362,978.00, and the revised M/WBE amount will be 20.78%. Since the M/WBE goal has been met, the Consultant is not required to submit additional M/WBE participation.

MSM:DRM:RKM:FOS:BB:mg/dh

S:\design\A-NP-DIV\Bikeway Files\Ben\N-0420-015A Herman Brown Park Access Bikeways Phase 2\1.0 Design Contract\1.2 RCA\RCA 20BB156 Herman Brown Park Trail Phase II N-000420-015A-3.doc

c: Marty Stein
Susan Bandy
Velma Laws
Craig Foster
File No. N-000420-015A-3 (1.2 RCA)

Herman Brown Park Phase II



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Engineering Services Contract between the City and Weston Solutions, Inc. for Sims South Wastewater Treatment Plant Improvements. W.B.S. No. R-000265-0062-3.	**Page** 1 of 2	**Agenda Item #** 29
FROM (Department or other point of origin): Department of Public Works and Engineering	**Origination Date** 1-29-09	**Agenda Date** MAR 11 2009
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., D.WRE, BCEE	**Council District affected:** 1	
For additional information contact: Reid K. Mrsny, P.E. Senior Assistant Director **Phone:** (713) 837-0452	**Date and identification of prior authorizing Council action:**	

RECOMMENDATION: (Summary)

Approve Engineering Services Contract with Weston Solutions, Inc. and appropriate funds.

Amount and Source of Funding: $375,074.00 Water and Sewer System Consolidated Construction Fund No. 8500. 12/19/08

DESCRIPTION/SCOPE: This project is part of the City's program to renew/replace inefficient components of the existing wastewater treatment plant (WWTP) and sludge processing facilities. This project consists of the design of instrumentation and various components at Sims South Wastewater Treatment Plant.

LOCATION: The project is located at 3005 Galveston Road. The project is located in Key Map Grid 535L.

SCOPE OF CONTRACT AND FEE: Under the scope of the Contract, the Consultant will perform Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount. The total Basic Services appropriation is $271,976.00.

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Surveying, reproduction, etc. The total Additional Services appropriation is $69,000.00.

The total cost of this project is $375,074.00 to be appropriated as follows: $340,976.00 for Contract services and $34,098.00 for project management.

REQUIRED AUTHORIZATION **CUIC ID #20BZ79** NDT

Finance Department: Michelle Mitchell	**Other Authorization:** Jun Chang, P.E., Interim Deputy Director Public Utilities Division	**Other Authorization:** Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

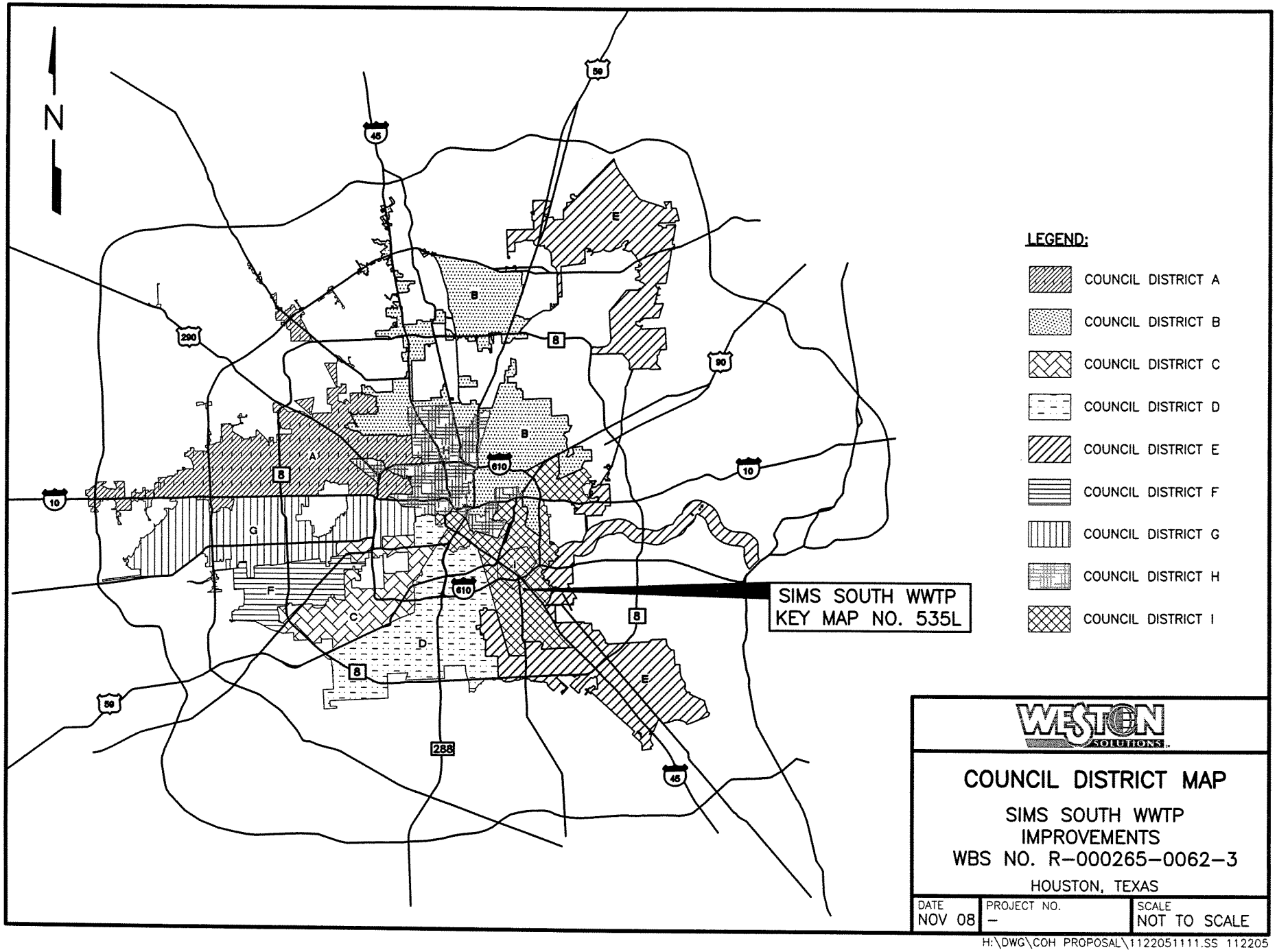
REV. 11/06

M/WBE INFORMATION: The M/WBE goal for the project is set at 24%. The Consultant has proposed the following firms to achieve this goal.

Name of Firms	Work Description	Amount	% of Contract
1. Kalluri Group, Inc.	Engineering Services	$195,759.00	57.41%
2. Landtech Consultants, Inc.	Surveying Services	$ 15,000.00	4.40%
	TOTAL	**$210,759.00**	**61.81%**

MSM:DRM:RKM:EN:BZ:pa

c: Marty Stein
Susan Bandy
Velma Laws
Mike Pezeshki, P.E.
Craig Foster
File No. R-000265-0062-3 (1.2)



WESTON SOLUTIONS

COUNCIL DISTRICT MAP

SIMS SOUTH WWTP
IMPROVEMENTS
WBS NO. R-000265-0062-3

HOUSTON, TEXAS

DATE	PROJECT NO.	SCALE
NOV 08	–	NOT TO SCALE

H:\DWG\COH PROPOSAL\1122051111.SS 112205

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Engineering Services Contract between the City and Texas American Engineering for Engineering Services associated with the design of Water Line Replacement in: Garden Oaks Phase II Area (WBS. No. S-000035-0107-3 and Riverwood Estates & John Alber Areas (WBS. No. S-000035-0108-3)	**Page** 1 of 2	**Agenda Item #** 30
FROM (Department or other point of origin): Department of Public Works and Engineering	**Origination Date** 1-29-09	**Agenda Date** MAR 11 2009
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., D.WRE, BCEE	**Council District affected:** B, A, H	
FOR ADDITIONAL INFORMATION CONTACT: for Reid K. Mrsny, P.E. Senior Assistant Director **Phone:** (713) 837-0452	**Date and identification of prior authorizing Council action:**	

RECOMMENDATION: (Summary)
Approve Engineering Services Contract with Texas American Engineering and appropriate funds.

Amount and Source of Funding: $1,164,119.00 - Water and Sewer System Consolidated Construction Fund, No. 8500.

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Line Replacement Program. This program is required to replace and upgrade water lines within the City to increase circulation and availability of water.

DESCRIPTION/SCOPE: This project consists of the design of approximately 60,660 linear feet of water lines with all related appurtenances in the Garden Oaks Phase II and Riverwood Estates & John Alber Areas.

LOCATION: These projects are located in the following Key Map grids:

Project	Bounded by	Key Map Grid	Council District
1. Garden Oaks Phase II Area:	Sue Barnett on the north, 41TH ST on the south, N Shepherd on the east and Apollo on the west.	452 K, L, M	A, H
	Along Del Norte and Covington from Lehman to Oak Forest.	452 E, F	A, H
	W 16TH ST on the north, W 13TH ST on the south Waverly on the east and Herkimer on the west.	452 Z	A, H
2. Riverwood Estates & John Alber Areas:	E. Canino on the north, E. Little York on the south, Nordling on the east and Meadowmoor on the west.	412 V, 413 S	B
	E. Canino on the north, E. Little York on the south, Art on the east and Meadowfair on the west.	413 T, U	B
	Hollow Oaks on the north, Winfield on the south, San Lucia River on the east and Swan River on the west.	415 E, J	B

REQUIRED AUTHORIZATION **CUIC ID #20ACM58** NDT

Finance Department:	Other Authorization:	Other Authorization:
Michelle Mitchell	Jun Chang, Interim Deputy Director Public Utilities Division	Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

REV. 3/06

Date	SUBJECT: Professional Engineering Services Contract between the City and Texas American Engineering for Engineering Services associated with the design of Water Line Replacement in: Garden Oaks Phase II Area (WBS. No. S-000035-0107-3) and Riverwood Estates & John Alber Areas (WBS. No. S-000035-0108-3)	Originator's Initials	Page 2 of 2

SCOPE OF CONTRACT AND FEE: Under the scope of the contract, the Consultant, Texas American Engineering, will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III -Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on the cost of time and materials with a not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum basis after the completion of Phase I. The negotiated maximum for Phase I Basic Services is $83,990.00. The total Basic Services appropriation is $421,090.00.

The contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include surveying, geotechnical investigation, environmental assessment, traffic control and storm water pollution prevention. The total Additional Services appropriation is $637,200.00.

The total cost of this project is $1,164,119.00 to be appropriated as follows: $1,058,290.00 for contract services and $105,829.00 for project management.

	Contract Services		Project Management		Cost of Project
Garden Oaks Phase II Area:	$538,910.00		$53,891.00		$592,801.00
Riverwood Estates & John Alber Areas:	$519,380.00		$51,938.00		$571,318.00
Total	**$1,058,290.00**	+	**$105,829.00**	=	**$1,164,119.00**

M/WBE INFORMATION: The M/WBE goal for the project is set at 24%. The Engineer has proposed the following firms to achieve this goal.

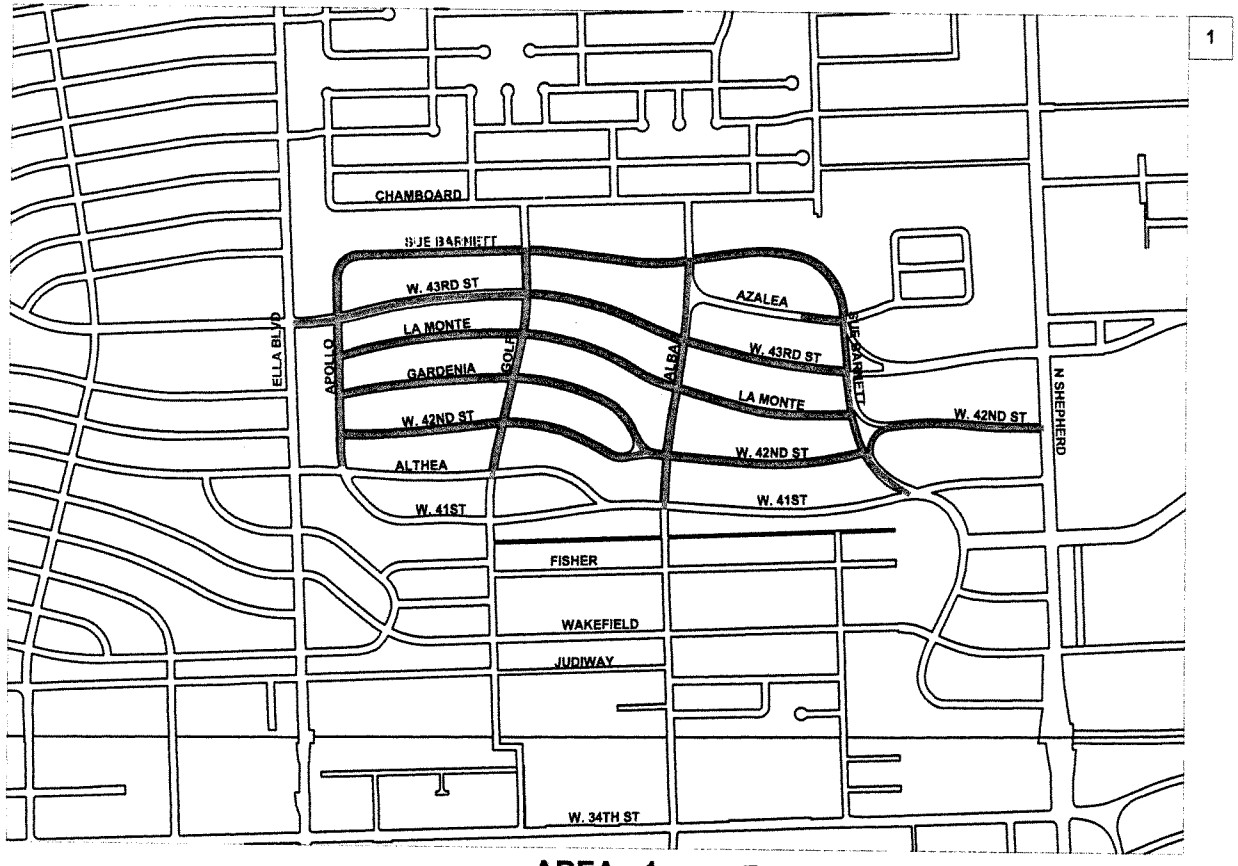
Name of Firms	Work Description	Amount	% of Contract
1. Aviles Engineering Corporation	Geotechnical and Environmental Services	$192,000.00	18.14%
2. Kuo & Associates, Inc.	Surveying Services	$280,200.00	26.48%
	TOTAL	**$472,200.00**	**44.62%**

MSM:DRM:RKM:HH:ACM
S:\design\A-WS-DIV\WPDATA\ACM\TAE\RCA.DOC

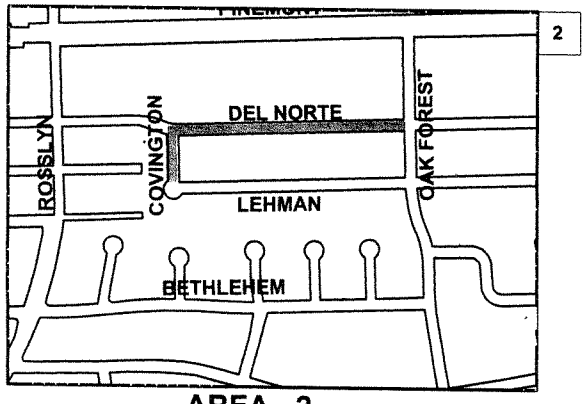
c: Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
Craig Foster
File Nos. S-000035-0107, 0108-3 (ROC)

REV. 3/06

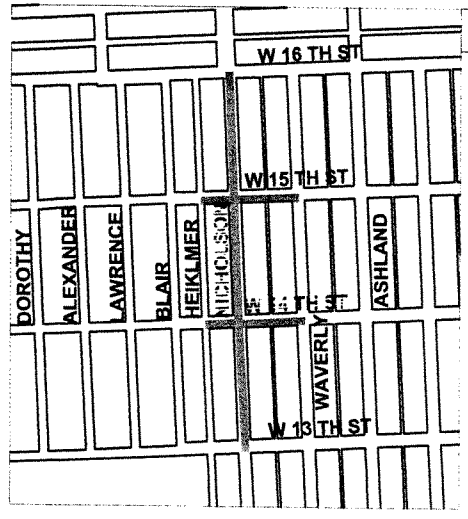
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING



AREA - 1



AREA - 2



AREA - 3

1 AREA - 1

KEY MAP NO.: 452 K & L
GIMS MAP NO.: 5260
COUNCIL DISTRICT: B

2 AREA - 2

KEY MAP NO.: 452 E & F
GIMS MAP NO.: 5260 & 5261
COUNCIL DISTRICT: B

3 AREA - 3

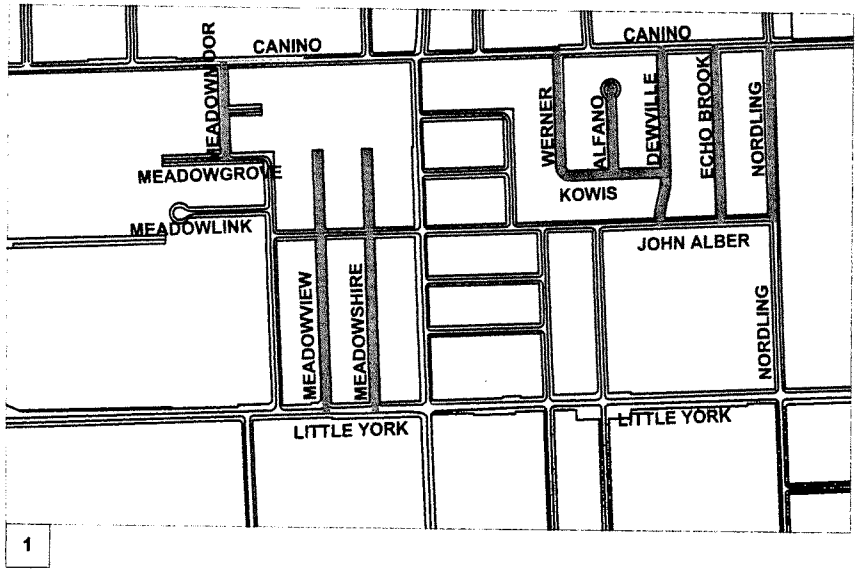
KEY MAP NO.: 452 Z
GIMS MAP NO.: 5359
COUNCIL DISTRICT: B

PROJECT LOCATION MAP

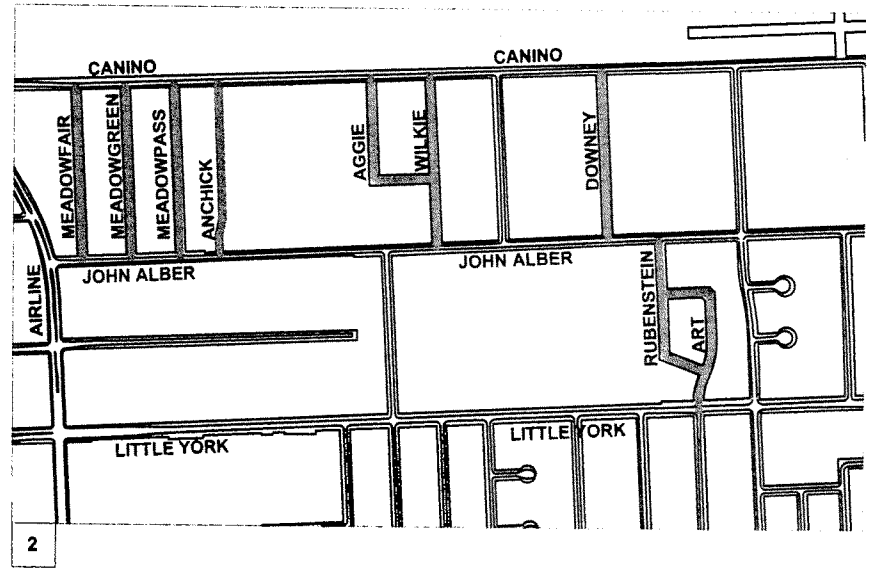
WATER LINE REPLACEMENT IN
GARDEN OAKS PHASE II AREA
WBS NO.: S-000035-0107-3

Texas
American
Engineering
[illegible]
Phone [illegible] Fax [illegible]

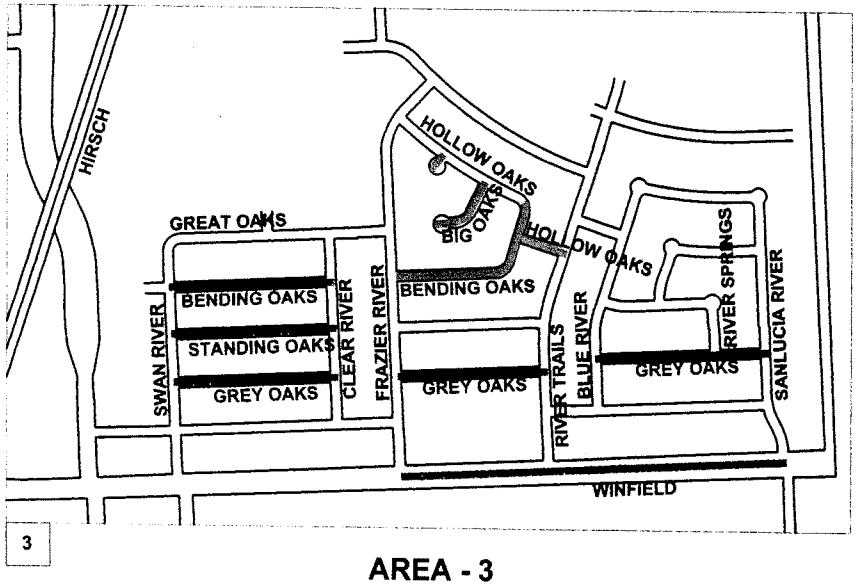
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING



AREA - 1



AREA - 2



AREA - 3

1 AREA - 1

KEY MAP NO.: 412 V & 413 S
GIMS MAP NO.: 5362
COUNCIL DISTRICT: B

2 AREA - 2

KEY MAP NO.: 413 T & U
GIMS MAP NO.: 5362
COUNCIL DISTRICT: B

3 AREA - 3

KEY MAP NO.: 415 E & J
GIMS MAP NO.: 5563
COUNCIL DISTRICT: B

PROJECT LOCATION MAP

WATER LINE REPLACEMENT IN
RIVERWOOD ESTATES AND
JOHN ALBER AREAS
WBS NO.: S-000035-0108-3

Texas
American
Engineering

GARDEN OAKS

Main Replacement Water Lines

STREET	ADDRESS	START STREET	END STREET	OLD SIZE	NEW SIZE	LENGTH IN FEET	KEY MAP
Gardenia	900 - 1099	Apollo	W. 42nd St	2	8	2,650	452K,L
W. 42nd St	900 - 1099	Apollo	Gardenia	6	8	2,480	452K,L
W. 42nd St	800 - 910	Gardenia	Sue Barnett	2	8	1,800	452,L
W. 42nd St	700 - 799	Sue Barnett	N Shepherd	2	8	1,560	452K,L
W. 43nd St	800 - 1199	Ella	Sue Barnett	16	16	4,500	452K,L
Sue Barnett		Apollo	41st St	8	8	5850	452K,L
La Monte	800 - 1099	Apollo	Sue Barnett	6,8	8	4350	452K,L
Azalea	800 - 818	FH @ 818 Azalea	Sue Barnett	6	8	360	452K,L
Apollo	4100 - 4399	Sue Barnett	Althea	8	8	1700	452K,L
Golf	4100 - 4399	Sue Barnett	Althea	6	8	1800	452K,L
Alba	4100 - 4399	Sue Barnett	41st St	6	8	1920	452,L
Del Norte	1400 - 1699	Oak Forest	Covington	2	8	1,180	452E
Covington		Del Norte	Lehman	1.5	8	300	452E
14th street	700 - 899	Herkimer	Waverly	2	8	530	452Z
15th street	700 - 899	Herkimer	Waverly	2	8	530	452Z
Nicholson	1300 - 1599	13th St	16th St	2	8	2080	452Z
						33,590	

RIVERWOOD ESTATES

Main Replacement Water Lines

STREET	ADDRESS	START STREET	END STREET	OLD SIZE	NEW SIZE	LENGTH IN FEET	KEY MAP	SUBD	CD
Winfield	6400 - 6899	Frazier River	San Lucia River	2	12	2300	415-J	Riverwood Estates	B
Grey Oaks	6100 - 6299	Swan River	Clear River	2	8	1000	415-J	Riverwood Estates	B
Grey Oaks	6400 - 6599	Frazier River	River Trails	2	8	930	415-E	Riverwood Estates	B
Grey Oaks	6700 - 6899	Blue River	San Lucia River	2	8	1050	415-E	Riverwood Estates	B
Standing Oaks	6100 - 6299	Swan River	Clear River	2	8	1000	415-E	Riverwood Estates	B
Bending Oaks	6100 - 6299	Swan River	Clear River	2	8	1000	415-E	Riverwood Estates	B
Bending Oaks	6400 - 6526	Frazier River	Hollow Oaks	2	8	1080	415-E	Riverwood Estates	B
Hollow Oaks Ln		Hollow Oaks	END	-	8	150	415-E	Riverwood Estates	B
Big Oaks		Hollow Oaks	END	-	8	450	415-E	Riverwood Estates	B
Hollow Oaks		Bending Oaks	River Trails	-	8	300	415-E	Riverwood Estates	B
Meadowmoor	7800 - 7899	Meadowgrove	Canino	2	8	580	412V		B
Meadowview	7500 - 7799	Little York	END (north)	2	8	1560	412V		B
Medowshire	7500 - 7799	Little York	END (north)	2	8	1560	412V		B
Werner	7700 - 7899	Kowis	Canino	4	8	720	413S		B
Alfano	7700 - 7899	Kowis	END (north)	4	6	550	413S		B
Kowis	300 - 499	Verner	Dewville	4	8	1030	413S		B
Dewville	7700 - 7899	John Alber	Canino	4	8	1030	413S		B
Echo Brook	7600 - 7899	John Alber	Canino	4	8	1030	413S		B
Nordling	7600 - 7899	John Alber	Canino	4	8	1030	413S		B
Meadowfair	11900 - 12099	John Alber	Canino	2	8	1050	413T		B
Meadowgreen	11900 - 12099	John Alber	Canino	2	8	1050	413T		B
Meadowpass	11900 - 12099	John Alber	Canino	2	8	1050	413T		B
Anchick	11900 - 12099	John Alber	Canino	2	8	1050	413T		B
Aggie	11900 - 12099	Wilkie	Canino	2	8	930	413T		B
Wilkie	11900 - 12099	John Alber	Canino	2	8	1050	413T		B
Downey	11900 - 12099	John Alber	Canino	2	8	1050	413T		B
Rubenstein	11700 - 11899	John Alber	Art	2	8	940	413U		B
Art	11700 - 11799	Little York	Rubenstein	2	8	940	413U		B
						27460			

Note: Cut & plug the section of WL on Hollow Oaks going through private properties

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Fifth Amendment and additional appropriation to Professional Engineering Services Contract between the City and AECOM USA, Inc. dba AECOM USA Group, Inc. (formerly known as J. F. Thompson, Inc. then Turner Collie & Braden, Inc.) for Engineering Services associated with Capacity Improvements at the East Water Purification Plant (EWPP). WBS Number S-000056-0050-3	**Page 1 of 2**	**Agenda Item #** 31
FROM (Department or other point of origin): Department of Public Works and Engineering	**Origination Date** 3-6-09	**Agenda Date** MAR 1 1 2009
DIRECTOR'S SIGNATURE: Michael S. Marcotte 3/09 Michael S. Marcotte, P.E., D. WRE, BCEE, Director	**Council District affected:** E	
For additional information contact: Reid K. Mrsny, P.E. **Phone:** (713) 837-0452 Senior Assistant Director	**Date and identification of prior authorizing Council action:** Ordinance No. 2000-225; March 29, 2000 Ordinance No. 2001-0588; June 20, 2001 Ordinance No. 2001-0940; October 17, 2001 Ordinance No. 2002-0176; March 20, 2002 Ordinance No. 2003-0587; June 18, 2003 Ordinance No. 2004-0717; June 30, 2004	

RECOMMENDATION: (Summary)

Approve Fifth Amendment to the Professional Engineering Services contract with AECOM USA, Inc. dba AECOM USA Group, Inc. and appropriate additional funds.

Amount and Source of Funding: $386,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.
(Original (previous) appropriations of $5,437,400.00 and subsequent additional appropriation of $10,540,600.00 from Water and Sewer System Consolidated Construction Fund No. 755). 02/25/09

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Capital Improvement Program to improve operability, maintainability, reliability for EWPP to comply with TCEQ and Surface Water Treatment Rule (SWTR) mandated by United States Environmental Protection Agency and to meet existing and future water demand requirements.

DESCRIPTION/SCOPE: The additional funding will provide professional engineering services at the East Water Purification Plant associated with various design and rehabilitation including the restoration of pumping capacity for Plant 3 Transfer Pump Station, plant wide pump inspection and repairs, storm water lift station evaluation and upgrade, on site landfill registration extension, inter-tie switchgear rehabilitation, plant 1 bar screen rehabilitation including flash mixers, flocculators and sludge removal mechanism repairs and upgrade.

LOCATION: This project is located on 12555 Clinton Drive and 2300 Federal Road. The project is located in Key Map grids 496 U and Y.

REQUIRED AUTHORIZATION — **CUIC ID #20JWM44** — NDT

Finance Department:	**Other Authorization:**	
Mike Lucille Mike Lucille	Jun Chang Jun Chang, P.E. Interim Deputy Director, Public Utilities Division	Daniel R. Menendez, P.E. Deputy Director Engineering and Construction Division

PREVIOUS HISTORY AND SCOPE: The Original Design Contract was approved by City Council on March 29, 2000 under Ordinance No. 2000-225. Subsequent amendments were approved on June 20, 2001 under Ordinance Number 2001-0588, October 17, 2001 under Ordinance 2001-0940, March 20, 2002 under Ordinance No. 2002-0176, June 18, 2003 under Ordinance 2003-0587 and June 30, 2004 under Ordinance 2004-0717. The scope of services under the original contract consisted of designing various improvements at the EWPP to increase plant capacity to 350 MGD. To date, the consultant has completed the final design and construction phase service for construction, package numbers 1, 3, 4, 5 and 6. Construction package numbers 7 and 13 are under construction and the consultant is providing Phase III Basic Services.

SCOPE OF THIS SUPPLEMENT AND FEE: The requested additional appropriation will accomplish the following tasks: general engineering consulting and design services needed for proposed scopes for plant repairs and reliability improvements. $341,803.00 are budgeted for Additional Services to be administered on reimbursable not to exceed basis. The Additional Services are currently anticipated to include plant 3 transfer pump station capacity restoration, pump inspection and repairs, on-site landfill registration extension, storm water pump station upgrade; flash mixer, flocculator and sludge removal mechanism rehabilitation, instrumentation & controls, surveying, geotechnical engineering, plant 1 bar screen repairs and inter-tie switchgear rehabilitation which comprise the bulk of the additional services funds. The total requested appropriation is $386,000.00 to be appropriated as follows: $341,803.00 for contract services and $44,197.00 for City recoverable costs of project management.

M/WBE INFORMATION: The M/WBE goal established for this project is 24%. The original contract and subsequent additional appropriations total $14,608,428.00. The engineer has expended $14,068,309.48 (96%) to date. Of this amount $2,816,059.22 (20%) has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to $14,950,231.00. The consultant proposes the following firms to meet the M/WBE goal participation:

	Name of Firms	Work Description	Amount	% of Contract
1.	Prior M/WBE	Various Services	$2,816,059.22	18.84%
2.	Kalluri Group, Inc.	Instrumentation & Controls Support Services	$103,604.00	0.69%
3.	United Engineers, Inc.	Surveying Services	$5,000.00	0.03%
4.	Aviles Engineering Corporation	Geotechnical Services	$5,000.00	0.03%
		TOTAL	**$2,929,663.22**	**19.59%**

MSM:DRM:RKM:HH:SD:jm
S:\design\A-WS-DIV\WPDATA\JM\JM\S-000056-0050-3\20jwm44Amend5.DOC

c: Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
Craig Foster
File S-000056-0050-3 (RCA - 1.2)

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance Amendment for Generic Citywide Overlay Package #13 (Work Order Contract). WBS No. N-001037-0053-4	**Page** 1 of 1	**Agenda Item #** 32

FROM: (Department or other point of origin): Department of Public Works and Engineering	**Origination Date:** 2-26-09	**Agenda Date:** MAR 1 1 2009
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., D.WRE, BCEE	**Council District affected:** ALL	
For additional information contact: Reid K. Mrsny, P.E. Senior Assistant Director **Phone:** (713) 837-0452	**Date and identification of prior authorizing Council action:** Ordinance No. 2009-44; 01/28/2009	

RECOMMENDATION: (Summary)

Approve amendment of Ordinance No. 2009-44 to correct clerical error.

Amount and Source of Funding: N/A

SPECIFIC EXPLANATION: The engineering testing laboratory Outline Agreement Number as referenced on the original construction award ordinance (Ordinance No. 2009-44), for the award of construction contract for Generic City Wide Overlay Package #13 (Work Order Contract) is incorrectly indicated as 4600007110. The correct outline agreement number for the engineering testing laboratory contract with Professional Service Industries, Inc. is 4600006387.

MSM:DRM:RKM:FOS:MW:RA

S:\design\A-NP-DIV\Overlay\Overlay Package 13 N-001037-0053-4\1.0 Design Contract\1.2 RCA\RCA Amendment.DOC

c: Marty Stein
Susan Bandy
Velma Laws
Mike Pezeshki, P.E.
Craig Foster
File: 1.2 RCA

REQUIRED AUTHORIZATION **CUIC ID# 20RA08**

Finance Department:	**Other Authorization:**	**Other Authorization:** Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

REV. 3/06

TO: **Mayor via City Secretary** **REQUEST FOR COUNCIL ACTION**

SUBJECT: An Ordinance de-appropriating and re-appropriating funds and authorizing the transfer of funds to reimburse amounts already spent against the previous appropriations in connection with The Woodlands Regional Participation Fund	**Page 1 of 1**	**Agenda Item #** 33
From: (Department or other point of origin): Department of Public Works and Engineering	**Origination Date** 3-6-09	**Agenda Date** MAR 11 2009
Director's Signature: Michael S. Marcotte, P.E., DWRE, BCEE, Director	**Council District affected:** All	
For additional information contact: Carol A. Ellinger, Sr. Asst Director (713) 837-7658 Susan Bandy, Deputy Director (713) 837-0282	**Date and identification of prior authorizing Council action:** Ordinance #: 1999-0343 (04/07/1999), 2007-1169 (10/24/2007), 2008-0030 (01/09/2008), 2008-0701 (08/06/2008), 2008-1008 (11/12/2008)	

Recommendation: (Summary)
Approve an Ordinance de-appropriating and re-appropriating funds and authorizing the transfer of funds to reimburse amounts already spent against the previous appropriations in connection with The Woodlands Regional Participation Fund.

Amount and Source of Funding:
$7,597,315.00 from The Woodlands Regional Participation Fund No. 2425.
De-Appropriations of original (previous) appropriations of:
$3,722,015 from the Street and Bridge Consolidated Construction Fund No. 4506 (WBS No. N -000794-0001-4)
$1,200,000 from the Street and Bridge Consolidated Construction Fund No. 4506 (WBS No. N-000822-0001-2-01)
$2,675,300 from the Street and Bridge Consolidated Construction Fund No. 4506 (WBS No. N-000799-0001-4)

SPECIFIC EXPLANATION: The City of Houston (City) and The Town Center Improvement District of Montgomery County, Texas, now known as The Woodlands Township (The Woodlands) entered a Regional Participation Agreement (Agreement) effective on November 16, 2007. On June 25, 2008, The Woodlands approved an initial list of projects submitted by the City for funding from the Regional Participation Fund created in the Agreement.

The City's Department of Public Works and Engineering has proceeded to implement these projects within the intent of the agreement, but prior to the creation of specific fund accounts within the City or receipt of funds from The Woodlands. These projects, though originally anticipated to be funded through The Woodlands Regional Participation Fund No. 2425, were executed using available Street and Bridge Consolidated Construction Fund No. 4506. However, the original RCAs failed to properly reference and seek authorization for the planned reimbursement.

This action implements the initial intent that the projects would be funded from the receipts of The Woodlands Regional Participation Agreement by de-appropriating previously appropriated funds and re-appropriating an equivalent amount from The Woodlands Regional Participation Fund. It also authorizes the transfer of funds from The Regional Participation Fund to the Street and Bridge Consolidated Construction Fund No. 4506 to reimburse it for expenditures to date on these projects (approximately $2.9 million).

MSM:AFI:CAE:cae

c: Marty Stein

REQUIRED AUTHORIZATION **CUIC ID #20CAE38**

Finance Department: Michelle Mitchell, Director	**Other Authorization:** Susan Bandy, Deputy Director Resource Management Division	**Other Authorization:** Andrew F. Icken, Deputy Director Planning & Development Services Div.

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Appropriate Funds for Renovation of office space at 611 Walker for the Finance Department. WBS Nos: D-000136-0001-4	**Page** 1 of 2	**Agenda Item** 34
FROM (Department or other point of origin): General Services Department	**Origination Date** 3-6-09	**Agenda Date** MAR 1 1 2009
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. 3/4/09	**Council Districts affected:** All	
For additional information contact: Jacquelyn L. Nisby **Phone:** 832-393-8023	**Date and identification of prior authorizing Council action:**	

RECOMMENDATION: Appropriate funds, authorize the director to allocate $500,000.00, and authorize issuance of purchase order to Contract Resource Group, LLC through the State of Texas Building and Procurement Commission's Contract (TXMAS) for the Finance Department.

Amount and Source of Funding: **$500,000.00** General Improvement Consolidated Construction Fund (4509)	**Finance Budget:**

SPECIFIC EXPLANATION: The Finance Department has requested reconfiguration of space and subsequent build-out of the 10th and 11th floors of 611 Walker. Currently, the Finance Department occupies the entire 11th floor and shares the 10th floor with the Administration and Regulatory Affairs Department. Each floor consists of approximately 13,000 SF of useable space. The total estimated project cost is $500,000.00, which includes design, construction, furniture, fixtures and equipment.

PROJECT LOCATION: 611 Walker (493L)

PROJECT DESCRIPTION: Renovation will include demolition, office build-out, carpet replacement, painting of all interior walls of both floors, minor mechanical and electrical reconfigurations, IT cabling modifications and modular furniture reconfigurations. Existing systems furniture will be re-used in the open areas and new systems furniture will be purchased for offices to supplement the lack of existing inventory. There will be no disruptions to operations because work will be performed after business hours.

The General Services Department therefore recommends that City Council appropriate funds and delegate authority to the director to allocate $500,000.00 between the following vendors: construction services through the existing Job Order Contract with Williams & Thomas, LP dba Jamail Construction, systems furniture reconfiguration services through the existing citywide contract with Houston Installation Services, Inc., and authorize issuance of a purchase order to Contract Resource Group, LLC through TXMAS for modular furniture and installation services.

REQUIRED AUTHORIZATION CUIC #25CONS85

General Services Department: Humberto Bautista, P.E. Chief of Design & Construction Division		**Finance Department:** Michelle Mitchell Director

F &A O11.A Rev. 3/94 7530-0100403-0

FUNDING SUMMARY: The renovation budget is as follows:

$190,000.00	Construction (Build-out)
$180,000.00	Carpet Replacement
$ 45,000.00	Interior Painting
$ 12,500.00	Furniture Refinishing
$ 17,500.00	Furniture Reconfiguration
$ 30,000.00	New Furniture
$ 25,000.00	Contingency
$500,000.00	**Total Funding**

IZD:JLN:RAV:ps
c: Jacquelyn L. Nisby, Webb Mitchell, Marty Stein, Mary Villarreal

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinance granting a Commercial Solid Waste Operator Franchise 2ND Reading	**Category #**	**Page 1 of 1**	**Agenda Item#** 35 ~~48~~
FROM: (Department or other point of origin): Alfred J. Moran, Director, Administration & Regulatory Affairs	**Origination Date** 2/25/09		**Agenda Date** ~~MAR 0 4 2009~~ MAR 1 1 2009
DIRECTOR'S SIGNATURE: MO	**Council Districts affected:** ALL		
For additional information contact: Juan Olguin JFO **Phone:** (713) 837- 9623; Nikki Cooper **Phone:** (713) 837- 9889	**Date and identification of prior authorizing Council Action:** Ord. # 2002-526 – June 19, 2002; Ord. # 2002–1166-December 18, 2002.		

RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

Amount of Funding: REVENUE	FIN **Budget:**

SOURCE OF FUNDING: [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)

SPECIFIC EXPLANATION:

It is recommended that City Council approve an ordinance granting a Commercial Solid Waste Operator Franchise to the following solid waste operator pursuant to Article VI, Chapter 39. The proposed Franchisee is:

1. K & S Construction Services, LLC

The proposed ordinance grants the Franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, the Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise terms expire on December 31, 2013.

The Pay or Play Program does not apply to the Commercial Solid Waste Operator Franchise.

REQUIRED AUTHORIZATION

Finance Director:

F&A 011.A Rev. 5/11/98

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinance granting a Commercial Solid Waste Operator Franchise 3rd Reading	**Category #**	**Page 1 of 1** 36	**Agenda Item#** ~~49~~ ~~35~~
FROM: (Department or other point of origin): Alfred J. Moran, Director Administration & Regulatory Affairs	**Origination Date** 2-19-09		**Agenda Date** ~~FEB 25 2009~~ ~~MAR 4 2009~~ MAR 11 2009
DIRECTOR'S SIGNATURE: MS	**Council Districts affected:** ALL		
For additional information contact: Juan Olguin JFO **Phone:** (713) 837- 9623 Nikki Cooper **Phone:** (713) 837- 9889	**Date and identification of prior authorizing Council Action:** Ord. # 2002-526 – June 19, 2002; Ord. # 2002–1166-December 18, 2002.		

RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

Amount of Funding: REVENUE	**F &A Budget:**

SOURCE OF FUNDING: [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)

SPECIFIC EXPLANATION:

It is recommended that City Council approve an ordinance granting a Commercial Solid Waste Operator Franchise to the following solid waste operator pursuant to Article VI, Chapter 39. The proposed Franchisee is:

1. Ace Septic and Plumbing Company

The proposed ordinance grants the Franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, the Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise terms expire on December 31, 2013.

The Pay or Play Program does not apply to the Commercial Solid Waste Operator Franchise.

REQUIRED AUTHORIZATION

Finance Director:

F&A 011.A Rev. 5/11/98

CITY OF HOUSTON

Office of the Mayor

37

MAR 1 1 2009

Interoffice

Correspondence

C. Cabral

To: Anna Russell
City Secretary

From: Christina Cabral
Boards and Commissions

Date: March 3, 2009

Subject: **REINVESTMENT ZONE NUMBER ONE (ST GEORGE PLACE)**

NON-CONSENT AGENDA
MISCELLANEOUS

Motion to set a date not less than seven (7) days from March 11, 2009, to receive nominations for appointment to Position 4 of the Board of Directors of Reinvestment Zone Number One (St. George Place), City of Houston, Texas for term to expire December 31, 2010.

Position 4	Victoria Rockwell	Nominated by Council Member Clutterbuck

CC/jsk

cc:
Ms. Marty Stein

RECEIVED
MAR 4 2009
CITY SECRETARY

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary | **RCA #**

SUBJECT: Motion establishing a public hearing date for a Third Amendment to the Project and Financing Plan for Tax Increment Reinvestment Zone Number Five (Memorial Heights Zone).	**Category #**	**Page** 1 of 1	**Agenda Item#** 38
FROM: (Department or other point of origin): Michelle Mitchell, Director Finance Department	**Origination Date** 3-5-09		**Agenda Date** MAR 11 2009
DIRECTOR'S SIGNATURE: Michelle Mitchell	**Council Districts affected:** A, D, G, H		
For additional information contact: Robert Fiederlein **Phone:** (832)393-8091	**Date and identification of prior authorizing Council Action:** Ord. 96-1337, 12/18/1996, Ord. 97-594, 5/21/1997, Res. 97-67, 12/10/1997, Ord. 1999-832, 8/11/1999, Ord. 2007-1142, 10/10/2007, Ord. 2008-784, 9/3/2008, Ord. 2008-1204, 12/17/08		

RECOMMENDATION: (Summary) Establish a public hearing date regarding amendments to the Project and Financing Plan for Tax Increment Reinvestment Zone Number Five (Memorial Heights Zone).

Hearing 9 am 3/25/09

Amount of Funding: No Funding Required | **Finance Budget:**

SOURCE OF FUNDING: [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] Other (Specify)

SPECIFIC EXPLANATION:

On March 10, 2009 the Board of Directors of the Memorial Heights Redevelopment Authority and the Board of Directors of Tax Increment Reinvestment Zone Number Five approved amendments to the Project and Financing Plan for the Zone and have transmitted a proposed Amended Project and Financing Plan for City Council consideration. Per Section 311.011(e) of the Tax Code the ("TIRZ Act"). A public hearing must be held prior to the adoption of an Ordinance approving the Amended Plan. The TIRZ Program recommends establishing a public hearing for Wednesday, March 25, 2009.

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Finance Director:	**Other Authorization:**	**Other Authorization:**

Finance 08/29/08

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Motion establishing a public hearing date to consider adopting a Municipal Setting Designation Ordinance for Beeson Properties for the Site located at 6800, 6900, 7010, and 7020 Old Katy Road. (MSD # 2008-008-BP)	**Page** 1 of 1	**Agenda Item #** 39
FROM (Department or other point of origin): Department of Public Works and Engineering	**Origination Date** 3-5-09	**Agenda Date** MAR 11 2009
DIRECTOR'S SIGNATURE: MSM 3409 Michael S. Marcotte, P.E., D.WRE, BCEE, Director	**Council District affected:** A B, C, D, F, G, H, and I within 5 miles of site.	
For additional information contact: Carol A. Ellinger, P.E. CAE Senior Assistant Director (713) 837-7658 Richard J. Chapin, Senior Project Manager (713) 837-0421	**Date and identification of prior authorizing Council action:** 8/22/2007 – 2007-0959 9am April 29, 2009	

RECOMMENDATION: (Summary)
Establish a public hearing date to consider adopting a Municipal Setting Designation (MSD) Ordinance for Beeson Properties for the site located at 6800, 6900, 7010, and 7020 Old Katy Road.

Amount and Source of Funding: N/A

BACKGROUND: In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD and owners/operators of potable water wells within 5 miles of a proposed MSD. In addition, a public meeting and a public hearing are required to be held prior to City Council consideration of support.

BEESON PROPERTIES APPLICATION: Beeson Properties is seeking a MSD for 43-acres of land located at 6800, 6900, 7010, and 7020 Old Katy Road. The contamination consists of total petroleum hydrocarbon, C6-C12 hydrocarbons, benzene, tetrachloroethene , trichloroethene, 1,1-dichloroethene, cis-1,2-dichloroethene, trans-1,2-dichloroethene, vinyl chloride, arsenic, barium, chromium, and lead. The site is composed of four separate industrial properties. Currently, the entire 43 acre site is vacant and proposed for redevelopment. Historic operations resulted in total petroleum hydrocarbon, chlorinated solvents, and metals impacts to groundwater. A dual-phase extraction system was installed to recover and treat the groundwater. In-situ biological oxidation was performed completed in 2007. A former UST system was also located on the site and was removed in 2005. The groundwater plumes have been delineated in all directions and are completely within the site's boundary. A network of groundwater monitoring wells has been installed at the subject property. A public meeting was held at 3/3/2009 6:30:00 PM at the Houston Arboretum & Nature Center 4501 Woodway Drive.

Beeson Properties is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.

RECOMMENDATIONS: City Ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation Ordinance (MSD). The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than six weeks from passage of the Motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date for Beeson Properties for the site located at 6800, 6900, 7010, and 7020 Old Katy Road.

MSM:AFI:CAE
P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - PUBLIC HEARING.DOC
C: Marty Stein, Waynette Chan, Gary Norman, Ceil Price

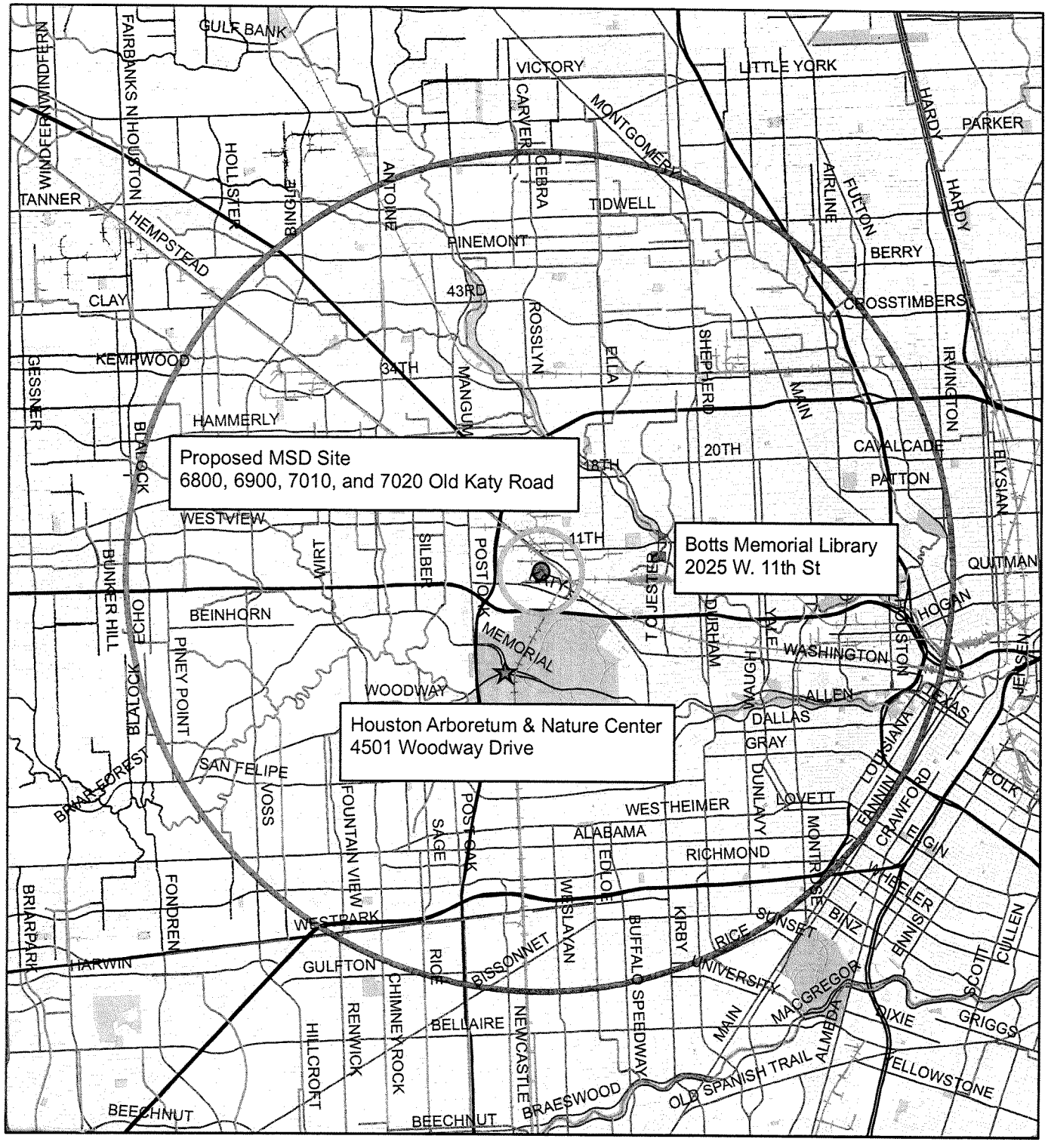
REQUIRED AUTHORIZATION CUIC ID# 20CAE32

Finance Department:	**Other Authorization:** Andrew F. Icken., Deputy Director Planning and Development Services Division	**Other Authorization:**

'&A 011.C REV. 1/927530-0100402-00

Municipal Settings Designation Application

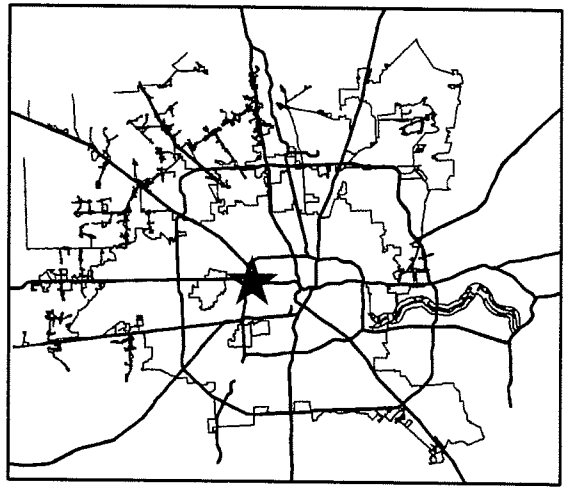
2008-008-BP
Vicinity Map



Legend

MSD 2008-008-BP

- ● MSD Site
- ★ Community Center
- Library
- 1/2 Mile Notification Area
- 5 Mile Notification Area



This map represents the best information available to the City. The City does not warrant its accuracy or completeness. Field verification should be performed as necessary.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: MBE and WBE participation goals for contracts funded under Environmental Protection Agency grants or loans	**Page** 1 of 2	**Agenda Item #** 40
FROM (Department or other point of origin): Affirmative Action and Contract Compliance Division of the Mayor's Office	**Origination Date**	**Agenda Date** ~~MAR 0 4 2009~~ MAR 1 1 2009
DIRECTOR'S SIGNATURE: Velma Laws	**Council District affected:** All Districts	
For additional information contact: Velma Laws Phone: 713.837.9015 Bill Beauchamp 832.393.6434	**Date and identification of prior authorizing Council action:** Motions 95-525, 02-1440 and 06-0073	

RECOMMENDATION: (Summary)

Adopt recommended MBE and WBE participation goals for contracts funded under Environmental Protection Agency grants or loans.

Amount and Source of Funding:

Not Applicable

SPECIFIC EXPLANATION:

The Environmental Protection Agency ("EPA") provides financial assistance to the City of Houston through grants and loans. This financial assistance comes either directly through the EPA or indirectly through the Texas Water Development Board or the Texas Commission on Environmental Quality. In order to obtain these grants and loans is necessary to comply with MWBE requirements promulgated by EPA. Up until 2008 the EPA required the following MWBE goals for grants and loans to Texas governmental entities;

	MBE	WBE
Construction	34%	8%
Equipment	13%	13%
Services	22%	26%
Supplies	18%	29%

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REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

H:\WPFILES\RCA\MBE & WBE.doc

During the spring of 2008 EPA promulgated new DBE regulations effective May 27, 2008 (40 CFR Part 33). Under the new regulations EPA requires recipients to establish their own goals following the guidance of the EPA regulations. The City's Affirmative Action Division has produced revised goals based on the EPA requirements and submitted these purposed goals to EPA Region VI. In November of 2008, EPA approved these goals (see attached letter). The goals are as follows:

	MBE%	WBE%
Construction	20%	5%
Equipment	10%	4%
Services	21%	6%
Supplies	10%	4%

The MWBE Committee reviewed this item on February 23, 2009 and recommended that it move to full council for consideration.

It is therefore the recommendation that the City Council adopt a motion approving these MBE and WBE participation goals for contracts funded under EPA grants and loans.

H:\WPFILES\RCA\MBE & WBE.doc

Briefing on the
Environmental Protection Agency (EPA)
DBE Program
Section 40 of the Code of Federal Regulations (40 CFR)
Parts 30, 31, 33, 35, and 40

The Environmental Protection Agency has promulgated new rules entitled "Participation by Disadvantaged Business Enterprises in Procurement Under Environmental Protection Agency (EPA) Financial Assistance Agreements," which will become effective May 27, 2008. These rules have specific requirements regarding certification, submission of goals (known as Fair Share Objectives), Good Faith Efforts, and program administration and record keeping.

The City has three departments and/or programs that receive some type of EPA assistance: PWE, through the Texas Water Development Board; Health and Human Services; and Brownfields projects.

A copy of the new CFR can be obtained, in its entirety, at www.epa.gov/osdbu.
A brief overview of some of the key features and action items of the program are presented below.

Sections 33.202 and 33.203 - Certification
EPA has an 8% statute, pursuant to Public Law 102-389, 42 USC 4370d; and a 10% statute, pursuant to Title 10 of the Clean Air Act. The statutes have different certification criteria for MBEs and WBEs. (Under the 8% statute, an MBE/WBE firm may be owned or controlled by the MBE/WBE owner; while under the 10% statute, a firm must be owned and controlled by the MBE/WBE owner.) City certified DBEs can be used on EPA assisted projects, but so can firms certified by outside sources.

Section 33.301 – Good Faith Efforts
All recipients must make Good Faith Efforts before a project is advertised, and require prime contractors to do the same. Records must be maintained for the recipient and the primes.

Section 33.302 – Other Administrative Requirements
All subcontractors must be paid for satisfactory performance within 30 days from the prime's payment by the recipient.

Recipients must be notified of MBE/WBE terminations, and must make THE Good Faith Efforts to find a replacement

Recipients must require primes to provide all subs with EPA 6100-2, which subs send directly to the EPA DBE Coordinator

Recipients must require primes to submit DBE program compliance forms (EPA 6100-3 and EPA 6100-4) with the prime contractors' bids or proposals

Section 33.401 – Fair Share Objective Requirements
Recipients must negotiate Fair Share Objectives (goals) with the EPA for MBE and WBE participation. Note – We are currently using the Texas Water Development Board goals, which are at issue because they are based on the State's Disparity Study. Therefore, we can negotiate our own goals, based on the types of grants we receive. The goals must be submitted no later than 120 days after a grant acceptance agreement has been signed, once the new rule goes into effect May 27, 2008.

Section 33.405 – Determining Fair Share Objective Requirements
The section sets forth a 2-step goal setting methodology, similar to the one used by the Department of Transportation. There must be separate MBE and WBE goals in the following categories: Construction, Equipment, Services, and Supplies.

In order to calculate our own Fair Share Objective to negotiate with the EPA, I will need the following:

- A list of all EPA assisted projects awarded and or completed within the last 3 years, including amount, scope of services, and any MWBE participation.
- A list of future (2 – 3 years) EPA assisted projects or initiatives, including the scope of services (Note – For construction projects, I will need a percentage breakdown of the major work category for each)

The scope of services information is necessary in order to calculate the 4 different goals, which must be approved by City Council.

Section 33.406
Recipients may designate a lead agency to negotiate fair share objectives with EPA, or negotiate individually

Section 33.501
Recipients must require their bidders and proposers to provide bidders lists of all firms that bid or quote for prime and subcontracts.

Section 33.502
Different types of grants have different reporting requirements. Must ascertain the type of grants each department receives.

CITY OF HOUSTON

Office of the Mayor

Bill White

Mayor

Velma Laws
Director
Affirmative Action and
Contract Compliance Division
P.O. Box 1562
Houston, Texas 77251-1562

T. 713.837.9000
F. 713.837.9055
www.houstontx.gov

October 3, 2008

Ms. Debora N. Bradford
Small and Disadvantaged Business Coordinator
Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

CERTIFIED RECEIPT #7007 0710 0004 9120 1681

Dear Ms. Bradford:

Pursuant to 40 CFR, 33.404, the City of Houston respectfully submits its proposed MBE and WBE fair share objectives for your consideration. The recommended goals are based on demonstrable evidence of the number of certified MBEs and WBEs in our relevant geographic market; as well as historical utilization of MBEs and WBEs in City contracting.

If you have any questions or need additional information, please contact me at 713.837.9015 or velma.laws@cityofhouston.net.

Thank you for your consideration, and I look forward to hearing from you in the near future.

Sincerely,

Velma Laws
Director

Enclosure

cc: Jo Wiginton, Senior Assistant City Attorney
Bill Beauchamp, Senior Assistant City Attorney
Anthony Hall, Chief Administrative Officer

10/08:06

Council Members: Toni Lawrence ** Jarvis Johnson ** Anne Clutterbuck ** Wanda Adams ** Mike Sullivan ** M. J. Khan ** Pam Holm ** Adrian Garcia

City of Houston
Affirmative Action and Contract Compliance

Proposed Fair Share Objectives
for the Participation of
Minority Business Enterprises and Women Business Enterprises in
Environmental Protection Agency (EPA) Funded Contracts

Pursuant to the Code of Federal Regulations, Section 40, Parts 30, 31, 33, 35, and 40, the City of Houston ("the City") is proposing the following goals for the participation of Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs) in its EPA funded contracts:

Area	MBE Goal	WBE Goal
Construction	20%	5%
Supplies/Equipment/Non-Professional Services	10%	4%
Professional Services	21%	6%

The City respectfully requests the approval of goals in the above three areas, rather than the four mandated areas (Construction, Supplies, Equipment, and Services) for the following reasons:

- The City has maintained data on MWDBE participation in three areas – Construction, Purchasing, and Professional Services since August 1984. This data was an integral component of the two-step goal setting process for the EPA DBE program.
- The City's "Purchasing" category includes supplies, equipment and non-professional services. Data on "Supplies" and "Equipment" only is not tracked separately, and therefore, is not available.
- The EPA's "Services" category does not distinguish between professional and non-professional services. However, the City tracks "Professional Services" separately.

The City used the two-step goal setting methodology prescribed by 40 CFR, 33.405 to calculate the EPA MBE and WBE goals.

I. METHODOLOGY

Step 1

In order to determine an overall goal, the following data sources were utilized to determine a base figure for the relative availability of DBEs:

- 2006 Harris County Business Patterns (CBP) for the Houston MSA
- City of Houston 2006 Disparity Study
- City of Houston (COH) Database of certified MWDBE firms

Note – Data from the Texas Unified Certification Program (TUCP) database was not used because it does not allow for analysis of MBE/WBE status.

County Business Pattern data for all firms in the Houston MSA was identified for the applicable contracting areas. The Houston MSA was used as the local market area, since the majority of contractors and subcontractors are located in this area.

The City of Houston (COH) database of certified MWDBE firms was used to calculate DBE availability, based on the CBP data. (See Attachment 1) To determine a base DBE availability figure, the CBP availability data were averaged with the data from the Disparity Study. (See Attachment 2) The resulting Step 1 availability figures are presented in Table 1.

Table 1. EPA DBE Availability Analysis

Area	CBP Availability	Disp. Study Availability	Average Availability
Construction			
MBE	6.0%	38.6%	**22.3%**
WBE	1.4%	7.6%	**4.5%**
Supplies/Equipment/Non-Professional Services			
MBE	2.1%	25.1%	**13.6%**
WBE	1.2%	11.7%	**6.5%**
Professional Services			
MBE	4.9%	32.1%	**18.5%**
WBE	3.0%	13.9%	**8.4%**

Step 2

The Step 2 analysis involved calculating the overall MBE and WBE participation, in each of the three contracting areas, for fiscal years 2006, 2007 and 2008. Next, the median participation was calculated for each year. The median was then averaged with the Step 1 availability figures to calculate the recommended DBE goals. The results are presented in Table 2 below.

Table 2. EPA DBE Goal Calculation

Area	MWDBE Participation				Step 1 Availability	Proposed DBE Goal
	FY 06	FY 07	FY 08	Median		
Construction						
MBE	15.5%	25.0%	18.6%	**18.6%**	**22.3%**	**20%**
WBE	6.5%	5.7%	5.5%	**5.7%**	**4.5%**	**5%**
Supplies/Equipment/Non-Professional Services						
MBE	10.9%	4.0%	5.6%	**5.6%**	**13.6%**	**10%**
WBE	2.1%	1.1%	1.4%	**1.4%**	**6.5%**	**4%**
Professional Services						
MBE	30.7%	21.4%	23.5%	**23.5%**	**18.5%**	**21%**
WBE	2.9%	1.8%	2.9%	**2.9%**	**8.4%**	**6%**

Attachment 1

City of Houston
Affirmative Action and Contract Compliance

MWDBE Availability Analysis, Based on 2006 County Business Pattern (CBP) and City Certified MWDBE Data

		MBE		WBE	
Area	**CBP All Firms**	**No.**	**%**	**No.**	**%**
Construction	6,406	386	6.0%	92	1.4%
Supplies/Equipment/ Non-Professional Services	12,014	252	2.1%	144	1.2%
Professional Services	5,293	257	4.9%	160	3.0%

Attachment 2

City of Houston
Affirmative Action and Contract Compliance

MWDBE Availability Data
From the 2006 City of Houston Disparity Study*

Area	MBE	WBE
Construction	38.6%	7.6%
Supplies/Equipment/ Non-Professional Services	25.1%	11.7%
Professional Services	32.1%	13.9%

* Data based on prime contractor availability

Source: Mason Tillman Associates, Ltd.
December 2006 City of Houston Disparity Study
Tables 6.13 - 6.16

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

NOV 1 4 2008

Ms. Velma Laws
Director
Affirmative Action and Contract Compliance Division
P.O. Box 1562
Houston, Texas 77251-1562

Re: Fiscal Year (FY) 2008 Negotiated Minority and Women Owned Business (MBE/WBE) Goals

Dear Ms. Laws:

The FY 2008 MBE/WBE fair share negotiations have been completed. The FY 2008 goals are city-wide goals for all your EPA grants. We accept the City of Houston's FY 2008 goals as follows:

	MBE (%)	WBE (%)
Construction	20.00	5.00
Equipment	10.00	4.00
Services	21.00	6.00
Supplies	10.00	4.00

These FY 2008 goals will be incorporated into all FY 2009 EPA grant actions (new awards or amendments) to the City after the date of this letter. The MBE/WBE goals are neither standards nor quotas; they have always been goals. When not met, EPA and others do ask for demonstration of the Six Good Faith Efforts.

The FY 2008 fair share goals will be in effect for the next three federal fiscal years unless there are significant changes to the data supporting the fair share objectives. If you have any questions, please contact Debora N. Bradford, Small and Disadvantaged Business Coordinator of my staff, at (214) 665-7406.

Sincerely yours,

Lynda F. Carroll
Assistant Regional Administrator
for Management

Enclosure

NOV 1 2 2008

cc: Jo Wiginton, Senior Assistant City Attorney
Bill Beauchamp, Senior Assistant City Attorney
Anthony Hall, Chief Administrative Officer

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Recycled Paper (40% Postconsumer)

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Extension of Leave of Absence without pay for Sr. Word Processor B. N. Mitchell, Employee # 68976	Category # 3	Page 1 of 1	Agenda Item # 41
FROM (Department or other point of origin) Police Department	Origination Date February 9, 2009	Agenda Date MAR 1 1 2009 ~~MAR 0 1 2009~~	
DIRECTOR'S SIGNATURE: Harold L. Hurtt, Chief of Police	Council District affected:		
For additional information contact: Lana To Nguyen Human Resources Division Phone: (713) 308-1245	Date and identification of prior authorizing Council action:		

RECOMMENDATION:(Summary)

Request council approval for leave of absence without pay extension for employee listed below.

Amount and Source of Funding: None Required	FIN Budget:

SPECIFIC EXPLANATION:

Sr. Word Processor B. N. Mitchell, Employee # 68976, was on an approved leave of absence without pay beginning April 21, 2008, through October 17, 2008 (180 days). Ms. Mitchell has been medically separated from the Department since October 28, 2008 and is requesting council approval for the additional extension of leave without pay from October 18, 2008, through October 28, 2008 (11 days).

cc: City Secretary

Agenda Director

D. W. Ready, Captain
Police Department – Human Resources Division

Human Resources Department Records

REQUIRED AUTHORIZATION

FIN Director:	Other Authorization:	Other Authorization: CC Manager

F & A 011.A REV. 3/94

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7858

Subject: Purchase of Uniforms through the Texas Local Governmental Purchasing Cooperative for Various Departments S32-S22851-B	Category # 4	Page 1 of 1	Agenda Item 42

FROM (Department or other point of origin): Calvin D. Wells, City Purchasing Agent, Administration & Regulatory Affairs Department	**Origination Date** February 18, 2009	**Agenda Date** MAR 11 2009 ~~MAR 04 2009~~
DIRECTOR'S SIGNATURE	**Council District(s) affected** All	
For additional information contact: David Guernsey **Phone:** (713) 238-5241; Desiree Heath **Phone:** (832) 393-8742	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Approve the purchase of uniforms through the Texas Local Government Purchasing Cooperative in an amount not to exceed $1,131,866.28 for various departments.

Estimated Spending Authority: $1,131,866.28

Finance Budget

$ 760,982.86	General Fund (1000)
$ 50,000.00	Stormwater Fund (2302)
$ 39,480.00	Fleet Management Fund (1005)
$ 277,293.57	PWE - Water & Sewer System Operating Fund (8300)
$ 4,109.85	CIP Salary Recovery Fund (1001)
$1,131,866.28	

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of uniforms through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Cooperative in an amount not to exceed $1,131,866.28 for the General Services, Public Works & Engineering, Parks & Recreation, Solid Waste Management, Health and Human Services and Fire Departments, and that authorization be given to issue purchase orders, as needed to the Texas Local Government Purchasing Cooperative contractor, Unico Corporation. The uniforms will be worn citywide by personnel.

This purchase will consist of hats, work pants, jeans, shorts, jackets, shirts, and coveralls. The spending authority will allow the Departments to purchase needed uniforms and associated items for a one year period.

Buyer: Veronica Douglas, CPPB

Attachment: M/WBE zero-percentage goal document approved by the Affirmative Action Division.

ESTIMATED SPENDING AUTHORITY

DEPARTMENT	FY 09	OUT YEARS	TOTAL
HEALTH & HUMAN SERVICES	$ 43,000.00	$ 0.00	$ 43,000.00
FIRE	$ 40,000.00	$ 0.00	$ 40,000.00
GENERAL SERVICES	$ 72,000.00	$101,000.00	$ 173,000.00
SOLID WASTE MANAGEMENT	$ 112,715.61	$ 0.00	$ 112,715.61
PARKS & RECREATION	$ 256,520.00	$ 0.00	$ 256,520.00
PUBLIC WORKS & ENGINEERING	$ 126,657.67	$ 379,973.00	$ 506,630.67
GRAND TOTAL	$ 650,893.28	$480,973.00	$1,131,866.28

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
		65CDW7858

CITY OF HOUSTON

Administration & Regulatory Affairs Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

To: Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

From: Veronica Douglas, CPPB

Date: June 3, 2008

Subject: MWBE Participation Form

I am requesting a **waiver** of the MWBE Goal: Yes ☒ No ☐ Type of Solicitation: Bid ☒ Proposal ☐

I am **requesting** a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes ☐ No ☒ _____

I am requesting a **revision** of the MWBE Goal: Yes ☐ No ☒ Original Goal: _____ New Goal: _____

If requesting a revision, how many solicitations were received: _____

Solicitation Number: S22851 Estimated Dollar Amount: $2,535,057.45

Anticipated Advertisement Date: _____ Solicitation Due Date: _____

Goal On Last Contract: _____ Was Goal met: Yes ☐ No ☐

If goal was not met, what did the vendor achieve: _____

Name and Intent of this Solicitation:
Apparel, Uniforms for Various Departments

Rationale for requesting a Waiver or Revision (Zero percent goal or revision after advertisement):
(To be completed by SPD)

This 0% goal request is for the purchase of uniforms through the interlocal agreement for cooperative purchasing with the Texas Local Government Cooperative. This procurement has been competitively bid out and awarded to Unico Coporation. Unfortunately, Unico Corporation has had difficulty finding a path to include an M/WDBE partner in supplying unforms to the City of Houston. This uniform contract has few areas of opportunity in regards to involving an M/WDBE partner. Sizing, order receiving, embroidery, application of patches, delivery, and invoicing is all handled in house. Unico Corporation has worked with the Affirmative Action Department and has contacted the two City of Houston certified M/WDBE vendors that Affirmative Action suggested. Unfortunately, both of the vendors contacted have opted not to work with Unico Corporation on this procurement. (see attachment)

Concurrence:

Veronica Douglas, CPPB
SPD Initiator

Deanna R. Heath
Division Manager

Robert Gallegos
Robert Gallegos, Deputy Assistant Director
*Affirmative Action

Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

*** Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.**

Douglas, Veronica - ARA

From: James Robertson [jrobertson@unico.com]
Sent: Monday, May 19, 2008 1:09 PM
To: Douglas, Veronica - ARA
Cc: Trey Traylor
Subject: RE: S22851 - Uniform Bid

Veronica,

As a follow up to my e-mail below. My understanding of the City's MWDBE program from my conversation with Mr. Garza was that the inclusion of a partner should only be done when there is a legitimate benefit to the supplier, i.e. Unico. I gave the example to Mr. Garza of procuring patches manufactured by someone else through a middleman who was in the MWDBE program instead of buying them directly from the manufacturer as we normally due, and Mr. Garza responded that simply creating a middle man would only increase our costs and not create value, so that practice should be avoided, along with any other practice that simply increased our costs.

I was able to speak to both Uniforms Plus and Z-Wear Inc. since the e-mail of April 30th.

I learned from Z-Wear that they are a uniform manufacturing company, and they are not a producer of any of the garments that the City is intent on using in the program. Z-wear does not provide any other services, so I do not see an opportunity of using them in the program.

Don Pollard from Uniforms Plus and I had a conversation about the program, and he felt that the only way he could provide value would be through assisting Unico in sizing the City of Houston employees. I asked Mr. Pollard if he would be willing to conduct the sizing alone for a fee, but he was only interested in doing the sizing alongside Unico employees for an undetermined percentage of the program. Having Don work alongside our employees onsite does not help achieve any real cost savings for Unico, and thereby create value for us and the city. Mr. Pollard said he would think more about the program, but I have not heard back from him in several weeks.

As stated below, there is very little opportunity to include a partner in the program, because materials are purchased direct from manufacturer, the customization of the product is done in-house and moving product between Unico and a second shop for additional customization work would be expensive and time consuming. As a reminder, Unico is contributing 2% of the program spend back to the Buy Board Cooperative to help continue to fund that entity. I would welcome any suggestions the City has to include a MWDBE partner that meets the intent of the program.

Regards,
James Robertson

James C. Robertson
President & CEO
Unico Corporation
1060 Hercules
Houston, TX 77058
281-488-7882 (phone)
281-488-7187 (fax)
1-866-886-4367 (toll free)
jrobertson@unico.com

An ISO 9001 Company

From: James Robertson
Sent: Wednesday, April 30, 2008 8:35 AM
To: Douglas, Veronica - ARA; Trey Traylor
Subject: RE: S22851 - Uniform Bid

Veronica,

Thank you for your patience while we have worked on this issue. We have had difficulty in finding a path to include a MWDBE partner in supplying uniforms to the City of Houston. I Spoke with Rick Garza at the City of Houston Affirmative Action office this week, and Mr. Garza helped identify three potential certified companies in the uniform arena from the City's MWDBE/SBE Directory. Those companies are Lone Star Uniforms, Uniforms Plus and Z-Wear Inc. We decided not to approach Lone Star Uniforms, as they are a previous supplier to the city of Houston and lost the contract due to service issues. The other two companies have yet to return my calls.

The uniform contract has only a few areas of opportunity in regards to involving an outside vendor/ certified MWDBE partner.

The makeup of the program is as follows:

- Employee Sizing – Currently done by Unico employees
- Order Receiving – Currently done by Unico in-house
- Purchas Uniform Ram Materials – Purchased direct from manufacturer
- Purchase Patches – Purchased direct from manufacturer once City's stock is depleted
- Application of Patches to Uniform Items – Currently done by Unico in-house
- Embroidery of logos to Uniform Items – Currently done by Unico in-house
- Delivery of Uniform Items – Currently done by UPS or Unico employees
- Customer Service & Account Management – Currently done by Unico in-house
- Invoicing – Currently done by Unico in-house
- Item Returns/Exchanges – Currently done by Unico in-house

Since Unico operates its own internal sewing shop and embroidery shop, it limits the opportunity for a partner to add value to both Unico and The City of Houston. Despite our in-house ability, outsourcing embroidery/patch work presents several challenges to the program due to the complexity of the program. Unico would be more able to use a partner for garment customization if every uniform item in the program received the same customization. The reality is that The City of Houston requires multiple customizations based up division, branch and job title of the City of Houston employee.

This complexity necessitates that all uniform items be received by Unico in order to be organized by those multiple customization options. Not only would Unico incur a higher cost to outsource the customization work, Unico would also have to pay for the additional shipping of moving the product from our warehouse once organized to the partner's operation. Once customized, the items would again need to be shipped back to Unico for inspection, organized by shipping location, and individually separated by employee when possible prior to delivery to the City. There is also a time cost to the City, since we would lose the time that the garments were in route to and from our partner.

The raw materials involved are purchased directly from our manufacturers, such as Dickies for the garments and

PENN or World emblem for the patches. To purchase these items through a middle man would only add unnecessary cost to the program.

Lastly, Unico delivers the vast majority of its orders through a third party carrier, such as UPS, and I cannot envision a scenario where a partner operating as a daily courier service would be a less expensive alternative.

Based on our findings and my conversations with Mr. Garza on the intent of the program, I do not see path to including a partner in this program. I would welcome the opportunity of changing our stance at any time during the program if a way can be found to include a partner.

Regards,
James

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract with CNA for regional catastrophic preparedness planning	Category	Page 1 of 2	Agenda Item #43
FROM (Department or other point of origin): Dennis J. Storemski, Mayor's Office of Public Safety and Homeland Security	Origination Date: 2/10/2009	Agenda Date ~~MAR 0 4 2009~~ MAR 1 1 2009	
DIRECTOR'S SIGNATURE:	Council District affected: All		
For additional information contact: Cheryl Murray Phone: 832-393-0929	Date and Identification of prior authorizing Council action: 12/30/2008: Ord # 2008-1210		
RECOMMENDATION: (Summary) Approval of an ordinance authorizing execution of a contract with **CNA** for regional catastrophic preparedness planning services.			
Amount of Funding: $2,509,444	FIN Budget:		
Source of Funds: [X] Grant Funds: $2,509,444 Governor's Division of Emergency Management (pass-through from DHS)			

SPECIFIC EXPLANATION:

In 2008, the U.S. Department of Homeland Security awarded grants to ten high risk urban areas to engage in regional catastrophic preparedness planning. Funds are exclusively to be used to (1) fix shortcomings in existing plans; (2) build regional planning processes and planning communities; and (3) link operational and capabilities-based planning for resource allocation.

The City of Houston is the **fiscal agent** for this $9 million grant program. A **Regional Catastrophic Planning Team** (RCPT) of public and private sector representatives was convened to lead the initiative. Organizations involved with the RCPT include:

- Cities: Houston (multiple departments), Galveston, Pasadena
- Counties: Harris, Ft. Bend, Montgomery, Brazoria and Galveston
- HGAC (representing smaller counties and cities within the region)
- METRO
- Other stakeholders: CenterPoint Energy, the East Harris County Manufacturers Association, the Downtown Management District
- Other "advisory" members: US Coast Guard, FEMA, the Department of State Health Services, the Governor's Division of Emergency Management, the Harris County Department of Education
- Other Subject Matter Experts: law enforcement, fire service, health and medical, and other related fields

The RCPT unanimously recommended that technical, specialized planning services be sought from a qualified vendor to ensure the success of this effort.

RECOMMENDED VENDOR: CNA

Following a review of responses to a Request for Qualifications, the RCPT unanimously recommended that a contract be awarded to CNA, a non-profit organization based in Alexandria, Virginia. The CNA Safety & Security division has assembled a team to provide direct planning supports and technical assistance for Houston's regional catastrophic preparedness planning initiative. Together with two proposed subcontractors – IEM and Digital Sandbox, Inc. – the CNA team brings more than 100 years of experience in homeland security, emergency management and risk analysis.

SCOPE OF WORK AND CONTRACT TERMS

The proposed scope of work is premised on three tenets:

- A regional approach offers an opportunity for greater clarity and focus in planning for the most complex of incidents, while preserving key scenario- and jurisdiction-specific nuances.
- Regional catastrophic planning requires integration of the different agencies and disciplines, levels of government, private sector interests, nonprofit organizations, and individual citizens that each have a role to play in an

REQUIRED AUTHORIZATION

FIN Director:	Other Authorization:	Other Authorization:

effective prevention, protection, response and recovery plan.

- This catastrophic planning initiative must build on the extensive investments made and accomplishments already achieved by our region in the areas of risk analysis, capabilities-based planning, and regional collaboration.

Key tasks include (1) project kickoff and management; (2) development and implementation of a regional engagement strategy; (3) baseline analysis; (4) regional capability assessment; (5) regional operations planning; (6) refinement of a planning and resource investment framework; and (7) plan validation. CNA will be responsible for development of all deliverables required for submission to DHS under the grant program.

The proposed contract is for costs plus a fixed fee (4.99%). It will be paid completely with grant funds. No local funds are involved.

DJS/CFM

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8183

Subject: Approve an Appropriating Ordinance and Approve a Contract to the Best Respondent for the Fleet Management Information System for Various Departments S15-T22580	Category # 4	Page 1 of 2	Agenda Item 44 35

FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	**Origination Date** February 26, 2009	**Agenda Date** MAR 1 1 2009 ~~MAR 0 4 2009~~
DIRECTOR'S SIGNATURE for Kevin McCalmon	**Council District(s) affected** All	
For additional information contact: Richard Lewis **Phone:** (832) 393-0082 Ray DuRousseau **Phone:** (832) 393-8726	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Adopt ordinance approving 1) the appropriation of $1,157,035.00 out of the Equipment Acquisition Consolidated Fund, 2) awarding contract to best respondent AssetWorks, Inc. in an amount not to exceed $1,774,372.00 for a fleet management information system for various departments; and 3) authorizing purchase of hardware and MS SQL licenses through the City's Master Agreement with the Texas Department of Information Resources (DIR) for a total amount not to exceed $665,913.

Maximum Contract Amount: $1,774,372.00	**Finance Budget** KMC

$1,157,035.00 - Equipment Acquisition Consolidated Fund (1800) (WBS X-681006)
$ 477,203.00 - PWE-Combined Utility System General Purpose Fund (8305)
$ 172,184.00 - HAS-AIF Capital Outlay Fund (8012)
$ 794,512.00 - Central Services Revolving Fund (1002)

$2,600,934.00 - Estimated Project Cost

SPECIFIC EXPLANATION:

The Information Technology Department requests Council approve a contract with AssetWorks, Inc. to provide a fleet management information system that will replace the City's 15-year old GEMS2000 Fleet Management Information System and associated hardware. The system is used by City departments to measure, monitor and control the operation and maintenance of over 12,000 pieces of rolling stock equipment. The user departments will include: Police, Fire, Public Works & Engineering, Houston Airport System, Solid Waste and Parks & Recreations and Health & Human Services. The proposed contract has a three-year term with two one-year options, in an amount not to exceed $1,774,372.00. The scope of work requires the contractor to provide all supervision, labor, tools, software and supplies to implement the system. The contractor will be required to configure the system to interface with current City systems, implement and deploy the final operating system and provide on-going support and maintenance services.

Council is further requested to approve the purchase of hardware and MS SQL licenses through the City's Master Agreement with the Texas Department of Information Resources (DIR) in an amount not to exceed $665,913 and authorize the issuance of purchase orders to DIR's Go-Direct vendors, Hewlett-Packard Company in the amount of $513,680.20 for twenty computer servers and associated equipment; and SHI Government Solutions in the amount of $140,138.30 for MS SQL licenses.

The total cost for implementation of the new fleet management system is estimated at $2,600,934. Funding comes from the requested appropriation of $1,157,035 from the Equipment Acquisition Consolidated Fund and budgeted funds from the Public Works and Engineering Department and the Houston Airport System. Out-year maintenance and special & optional services funding will come from the Central Services Revolving Fund. The breakdown of project costs is as follows:

REQUIRED AUTHORIZATION NDT

Finance Department:	Other Authorization:	Other Authorization:

Contract Costs
$ 958,710 Software and implementation
$ 250,000 Special and optional services
$ 565,662 5-year maintenance
$1,774,372 Total contract

ITD Hardware and Licenses
$513,680 Hewlett Packard Server
$140,139 MS SQL Server Licenses
$ 12,094 Switch Hardware
$665, 913 Total Hardware

Salary Recovery and Support
$160,649

AssetWorks, Inc. was selected as the result of a Request for Proposals process that was advertised in accordance with the requirements of the State bid laws. Eighty-three prospective bidders downloaded the solicitation document from SPD's e-bidding website and, as a result, proposals were received from Asset Works, Inc., UR International, Inc., IBM, Chevin Fleet Solutions, LLC, CCG Systems, Inc. and SAP. The evaluation committee consisted of six evaluators from the Houston Airport Systems, Police, Fire, Public Works & Engineering, Parks & Recreation, and Information Technology departments. The proposals were evaluated based upon the following criteria, and Asset Works, Inc. received the highest overall score.

- System Design, Functionality and Performance
- Cost of Software, Hardware and Services
- Interface with Key External Systems
- Experience, Expertise, Qualifications and Disclosure
- Financial Strength
- M/WBE

M/WBE Subcontracting:
This RFP was issued as a goal-oriented contract with a 14% M/WBE participation level. Asset Works, Inc. has designated the below-named companies as its certified M/WBE subcontractor:

Name	Type of Work	Dollar Amount
Criner-Daniels & Associates	Professional Services	$169,219.40
Criner-Daniels & Associates	HP Hardware Reseller	$20,547.20

The Affirmative Action Division will monitor this contract.

Pay or Play:
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: First Amendment to Professional Energy Management Services Contract
Fulcrum Power Services, L.P.

Page 1 of 1 **Agenda Item** 45 ~~39~~

FROM (Department or other point of origin):
General Services Department

Origination Date 2/17/09

Agenda Date ~~MAR 0 4 2009~~

DIRECTOR'S SIGNATURE: Issa Z. Dadoush 2/12/09
Issa Z. Dadoush, P.E.

Council District(s) affected: MAR 1 1 2009
All

For additional information contact:
Felix C. Johnson, P.E. **Phone:** 832-393-8086
Jacquelyn L. Nisby 832-393-8023

Date and identification of prior authorizing Council actions:
Ordinance No. 2005-241 March 9, 2005
Ordinance No. 2006-113 February 1, 2006
Ordinance No. 2006-945 September 13, 2006
Ordinance No. 2008-317 April 16, 2008

RECOMMENDATION: Approve First Amendment to the professional energy management services contract with Fulcrum Power Services, L.P.; extend the renewal term; amend Ordinance No. 2005-241 to increase the maximum contract amount to $1,605,000.00, and allocate funds.

Amount and Source of Funding
$500,000.00 Central Service Revolving Fund (1002)
Previous Funding
$1,105,000.00 Central Service Revolving Fund (1002)

Finance Budget:

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the First Amendment to the Professional Energy Management Services Contract with Fulcrum Power Services, L.P. (Fulcrum); extend the renewal term; amend Ordinance No. 2005-241 to increase the maximum contract amount to $1,605,000.00; and approve a supplemental allocation of $500,000.00 to provide additional services in connection with fuel procurement and management.

The proposed First Amendment will extend the renewal term for up to four one-year terms and expand Fulcrum's services to assist the City in the management and procurement of its vehicle fuel contracts and supply. Fulcrum will advise the City on future market prices, fuel contract structures, and logistics as well as be involved in purchasing additional quantities of fuel or in coordinating deliveries of fuel. Additionally, Fulcrum will assist in the negotiation of contracts with fuel and transport vendors, evaluate the feasibility of fuel storage, and negotiate fuel storage facility arrangements. Fulcrum will be compensated on a reimbursable basis.

PREVIOUS HISTORY AND PROJECT SCOPE: Under the original contract, approved by City Council on March 9, 2005, Fulcrum provided price and historical market analysis to assist the City in managing its natural gas risk under the electricity contract. On February 1, 2006, City Council approved a supplemental allocation for $200,000.00 for Fulcrum to assist the City in diversifying its supply of power and for the development of a business implementation plan for the City to utilize other energy supply options, such as wind generation, to access the wholesale energy market. On September 13, 2006, City Council approved a supplemental allocation for $500,000.00 for Fulcrum to continue with the development of the business implementation plan and for the procurement of renewable energy (wind) from the wholesale electricity market. On April 16, 2008, City Council approved a supplemental allocation for $200,000.00 for Fulcrum to continue to research the City's authority to construct an onsite power generation facility and the procurement of other sources of renewable energy.

M/WBE INFORMATION: Due to the specialized, technical nature of the contract, Affirmative Action has reviewed the process and approved a 0% M/WBE goal as described in the attached correspondence.

IZD:FCJ:JLN:fcj
c:Marty Stein, Jacquelyn L. Nisby, Anna Russell, File

REQUIRED AUTHORIZATION CUIC ID # 25MSCL22

Other Authorization:

Other Authorization: NDT

F&A 01 1.A REV. 3/94

41

Patrick, Regina - BSD

From: Laws, Velma - AAD
Sent: Friday, January 27, 2006 1:07 PM
To: Dadoush, Issa - BSD
Subject: RE: Fulcrum Amended Contract

Issa ~

I concur that the 0% goal should be maintained on this project, due to its unique and technical nature and lack of subcontracting opportunities.

Velma Laws, Director
Affirmative Action and Contract Compliance

-----Original Message-----
From: Dadoush, Issa - BSD
Sent: Friday, January 27, 2006 11:33 AM
To: Laws, Velma - AAD
Subject: Fulcrum Amended Contract

Velma,

Under this amendment, Fulcrum will utilize the expertise of two individuals to provide these services. They will be providing the City with historical data and other technical information to aid the City in its decision when to trigger natural gas trades to lock in our electricity price under our contract with the GLO. They will also use their expertise to develop an implementation plan for the City to utilize other energy supply options to access the wholesale energy market.

It is the opinion of BSD that the services under this contract are of a highly technical nature and pursuant to Section 15-83(c)(1)(b) of the Code of Ordinances the 0% MWBE goal should be maintained under this amendment.

Issa

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8141

Subject: Approve an Amending Ordinance to Increase the Spending Authority for Contract No. C56717 for Furniture Relocation Services for Various Departments LC-R-0739-027-20409-A1	Category # 4	Page 1 of 2	Agenda Item 46 42

FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	**Origination Date** February 26, 2009	**Agenda Date** MAR 11 2009 ~~MAR 04 2009~~
DIRECTOR'S SIGNATURE	**Council District(s) affected** All	
For additional information contact: Jacquelyn L. Nisby **Phone:** (832) 393-8023 Ray DuRousseau **Phone:** (832) 393-8726	**Date and Identification of prior authorizing Council Action:** Ord. 2005-0161, passed 02/23/2005	

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the spending authority for the contract between the City of Houston and Houston Installation Services, Inc. for furniture relocation services from $712,013.54 to $941,153.54 for furniture relocation services for various departments.

Maximum Contract Amount Increased by: $229,140.00	**Finance Budget**

$206,640.00 General Fund (1000)
$ 22,500.00 Water and Sewer System Fund (8300)

$229,140.00 Total Funding

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the spending authority for the contract between the City of Houston and Houston Installation Services, Inc. from $712,013.54 to $941,153.54 for furniture relocation services for various departments. This contract was awarded on February 23, 2005, by Ordinance No. 2005-0161 for a three-year term, with two one-year options, for a total five-year term in the amount of $712,013.54. Expenditures as of December 4, 2008 totaled $660,008.41.

The scope of work requires the contractor to provide all equipment, labor, materials, parts, supervision, tools and transportation necessary to disassemble, remove, reconfigure and re-assemble existing modular workstations and associated furniture at various facilities citywide. The contract also requires the contractor to furnish reconfiguration drawings and miscellaneous parts to complete reassembly.

This contract was awarded with an 11% M/WBE participation goal and Houston Installation Services, Inc. has achieved 6.81% participation on this contract. The majority of the jobs require one- or two- person teams, which are not beneficial to hire from a temporary firm. Houston Installation Services, Inc. utilizes an M/WBE subcontractor to provide temporary personnel for large jobs requiring approximately ten or more people. Houston Installation Services, Inc. will continue to work with the Affirmative Action Division (AAD) toward meeting its good faith effort on this contract.

The Public Works & Engineering Department (PW&E) initially underestimated the number of relocations it would need during the contract term. This resulted in the Department using spending allocations from other participating departments, thus causing the contract to reach its spending limit prior to contract expiration. In the future, the General Services Department will coordinate part of PW&E's furniture relocation requirements to avoid a reoccurrence of the problem.

REQUIRED AUTHORIZATION

NOT

Finance Department:	Other Authorization:	Other Authorization:

Pay or Play Program

This contract does not have the "Pay or Play Program" requirement therein as it was awarded prior to the effective date of the ordinance which established the "Pay or Play Program".

Spending Authority Increase

Department	FY09 – FY10
Health and Human Services	$ 80,000.00
Public Works & Engineering	$ 22,500.00
Planning & Development	$ 1,640.00
General Services	$125,000.00

Buyer: Gloria Jordan-King